

**City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
January 12, 2005**

Mayor David Dermer
Vice-Mayor Simon Cruz
Commissioner Matti Herrera Bower
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith
Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

REGULAR AGENDA

R5 - Ordinances

- R5A An Ordinance Amending Ordinance No. 789, The Classified Employees Salary Ordinance, For The Group I Classifications, Being The Classifications Covered By The American Federation Of State, County And Municipal Employees (AFSCME) Local No. 1554, In Accordance With The Negotiated Agreement; Retroactively Increasing On The First Pay Period Beginning April 19, 2004, The Minimum Of The Ranges By Three Percent (3%) And The Maximum Of The Ranges By Three Percent (3%); Increasing The Salary Of Each Employee By Three Percent (3%) Effective With The First Pay Period Beginning April 19, 2004; Bargaining Unit Employees Shall Receive An Across The Board Increase Of Three Percent (3%) With The First Pay Period Beginning April 18, 2005, And A Three Percent (3%) Increase To The Minimum And Maximum Of The Ranges; And An Across The Board Increase Of Three And One Half Percent (3.5%) With The First Pay Period Beginning May 1, 2006, And A Three And One Half Percent (3.5%) Increase To The Minimum And The Maximum Of The Ranges; Providing For A Repealer, Severability, Codification, And Effective Date. **10:15 a.m. Second Reading, Public Hearing** (Page 279)
(Human Resources)
(First Reading on December 8, 2004)

R5 - Ordinances (Continued)

- R5B An Ordinance Amending Ordinance No. 1335, The Classified Employees' Leave Ordinance, By Amending The Provisions Of Section 16 For Donation Of Annual Leave And Sick Leave; Providing For A Repealer, Severability, Codification, And An Effective Date. **10:16 a.m. Second Reading, Public Hearing** (Page 286)
(Requested by Commissioner Luis R. Garcia, Jr.)
(First Reading on December 8, 2004)
- R5C An Ordinance Amending Ordinance No. 1613, The Unclassified Employees' Leave Ordinance, By Amending The Provisions Of Section 14 For Donation Of Annual Leave And Sick Leave; Providing For A Repealer, Severability, Codification, And An Effective Date. **10:17 a.m. Second Reading, Public Hearing** (Page 293)
(Requested by Commissioner Luis R. Garcia, Jr.)
(First Reading on December 8, 2004)
- R5D Design Review Board Appeal Procedures
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures," By Amending Section 118-262 To Amend The Requirements For Filing An Appeal To The City Commission; Providing For Repealer, Codification, Severability, And An Effective Date. **10:18 a.m. Second Reading, Public Hearing** (Page 300)
(Planning Department)
(First Reading on December 8, 2004)
- R5E Temporary And Provisional Parking Lots Standards
An Ordinance Amending The Code Of The City Of Miami Beach, By Amending Chapter 130 "Off-Street Parking," Article III, "Design Standards," By Amending Section 130-70 "Temporary Parking Lot Standards;" And Section 130-71 "Provisional Parking Lot Standards" By Clarifying Existing Regulations, Prohibiting Provisional Lots In The R-PS1 Through 3 Residential Performance Standards Zoning Districts, And Modifying Landscaping Standards; Providing For Repealer, Severability, Codification And An Effective Date. **10:20 a.m. First Reading, Public Hearing**
(Page 307)
(Planning Department)

R5 - Ordinances (Continued)

- R5F An Ordinance Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Amending Section 82, Division 3, Of The City Code Entitled "Newsracks"; Amending Section 82-176 Entitled "Definitions" By Adding And Amending Certain Definitions; Amending Section 82-201 Entitled "Notice Of Violation Request For Hearing" By Reducing The Time Required For Notification And Amending The Method Of Notification; Amending Section 82-202 Entitled "Removal And Storage Of Newsracks" Reducing The Time Required For Notification And Time Allowed To Request A Hearing; Amending Section 82-204 Entitled "Release Of Stored Newsracks, Storage Fee, Inspection Fee" By Amending The Provisions For Return Of Stored Newsracks, And Amending Storage Fees And Reinspection Fees; Amending Section 82-205 Entitled "Unclaimed Newsracks" By Reducing The Storage Time Required Prior To Disposing Of Unclaimed Newsracks; Amending Section 82-206 Entitled "Abandoned Newsracks" Amending The Criteria For Abandoned Newsracks And Reducing The Time Required To Remove Abandoned Newsracks From The Right-Of-Way; Amending Section 82-231 Entitled "Fee Letter Of Compliance Required" Modifying The Procedures And Fees For Registering Newsracks; Amending Section 82-256 Entitled "Maintenance And Installation Standards" By Amending Restrictions On The Type, Size, And Appearance Of Newsracks And Newsrack Storage Boxes And Specifications For Installing Newsracks On The Right Of Way; Amending Section 82-257 Entitled "Placement Of Newsracks" By Amending Restrictions On The Location Of Newsracks; Providing For Codification; Severability; Repealing All Ordinance In Conflict Therewith; And Providing For An Effective Date. **First Reading** (Page 320)
(Public Works)

R7 - Resolutions

- R7A A Resolution Following A Duly Noticed Public Hearing, Approving On First Reading, In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Agreement Act," A First Addendum To The Development Agreement Between The City Of Miami Beach And The New World Symphony, Dated January 5, 2004, For The Development Of A Portion Of The Surface Parking Lot, Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West, For Construction Of An Approximately 50,000 Square Foot Educational, Performance And Internet Broadcast Facility With An Exterior Screen ("Soundspace"), And An Approximately 320-Space (+/-) Public Parking Garage Facility; Said Addendum Specifically Amending The Development Agreement, And Authorizing The Developer To Proceed With The Design And Development Of The Park Project Compromising Of: Zone 1, Comprising The Park And Drexel Avenue Between North Lincoln Lane And 17th Street, At The City's Cost And Expense, Not To Exceed \$10,000,000; Zone 2, Comprising The Jackie Gleason Theater Of The Performing Arts (TOPA) Entry Landscaping At The City's Cost And Expense, Not To Exceed \$1,150,000; And Zone 3, Comprising North Lincoln Lane Improvements, At The City's Cost And Expense, Not To Exceed \$500,000; And Further Setting The Second Public Hearing On January 12, 2005. **5:00 p.m. Public Hearing** (Page 340)
(Economic Development)
(Continued from December 8, 2004)

R7 - Resolutions (Continued)

- R7B A Resolution In Accordance With The Requirements Of Sections 163.3220 - 163.3243, Florida Statutes, Also Referred To As The "Florida Local Government Development Agreement Act", Approving, On First Reading, A Development Agreement Between The City Of Miami Beach And AR&J SOBE, Llc (A/K/A Potamkin/Berkowitz) For The Development Of The Project, Presently Referred To As "5th And Alton", Containing Approximately 179,000 Square Feet Of Retail Area, A Supermarket; An Approximate 1070 Space Parking Garage; Park-And-Ride Transit Facility, Including An Intermodal/Transportation Component, And Surrounding Streetscape And Public Infrastructure To Serve The Project, Bounded By Lenox Avenue On East, Alton Road On West, 6th Street On North And 5th Street On The South, In Miami Beach; Further Considering, On Second (And Final) Approval Of The Development Agreement; And Further Setting, For A Time And Date Concurrent With The Second And Final Reading Of The Aforestated Development Agreement, A Public Hearing, As Required Pursuant To The City's Guidelines For The Vacation Of Public Right Of Ways And Chapter 82, Article II, Sections 82-37 Through 82-38 Of The Miami Beach City Code, To Hear Public Comment Concerning The Vacation Of The Adjacent Public Alley, Generally Located Between Alton Road And Lenox Avenue, And Containing Approximately 7,800 Square Feet Of Land, For Incorporation Into The Proposed Project. **5:10 p.m. Public Hearing** (Page 345)
(City Manager's Office)
- R7C A Resolution Approving Final Payment To The Firm Of Spillis Candela DMJM, In The Amount Of \$19,335, For Completion Of Consulting Services On The Bass Museum Expansion And Renovation Project, And Further Recommending Appropriation, In The Amount Of \$19,335, From City Center Redevelopment Agency Funds. **Joint City Commission and Redevelopment Agency**
(Page 356)
(Capital Improvement Projects)
- R7D A Resolution Approving An Additional Appropriation, In The Amount Of \$300,000, From Parking Revenue Bond Fund 481 To Work Order 2113 To Complete The Renovation Of The 12th Street Municipal Garage. (Page 377)
(Capital Improvement Projects)
- R7E A Resolution Authorizing The Execution Of An Agreement With Hargreaves And Associates In The Not To Exceed Amount Of \$328,505 For The Planning Of South Pointe Park Improvements.
(Page 384)
(Capital Improvement Projects)
- R7F A Resolution Approving The Settlement Of City Liens On Real Property Located At 834-836 1st Street, Miami Beach, Florida, Resulting From City Utility Bills And From Special Master Case Numbers 92-301/JC00001111/JC990815 And Providing That The Lien In The Amount Of \$3,363,433.52 Be Settled For The Amount Of \$290,000. (Page 407)
(City Manager's Office)

R7 - Resolutions (Continued)

- R7G A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Firms Pursuant To Request For Proposals (RFP) No. 34-03/04 To Manage And Operate The Valet Parking Services At The Miami Beach Convention Center, Jackie Gleason Theater Of The Performing Arts, And Other City Property As May Be Required; Authorizing The Administration To Enter Into Negotiations With The Top Ranked Firm Of Selig Parking, Inc. D/B/A AAA Parking; And Should The Administration Not Be Able To Negotiate An Agreement With The Top-Ranked Firm, Authorizing The Administration To Negotiate With The Second-Ranked Firm Of Imperial Parking (U.S.), Inc.; And Should The Administration Not Be Able To Negotiate With The Second-Ranked Firm, Authorizing The Administration To Negotiate With The Third-Ranked Firm Of Gold Star Parking, Inc.; And Further Authorizing The Mayor And City Clerk To Execute An Agreement Upon The Completion Of Successful Negotiations By The Administration. (Page 412)
(Parking Department)
- R7H A Resolution Transmitting The Miami Beach Comprehensive Plan Evaluation And Appraisal Report To The South Florida Regional Planning Council For Review, Pursuant To The Provisions Of Sections 163.3191(1) & (8), Florida Statutes. (Page 435)
(Planning Department)
- R7I A Resolution Authorizing The Appropriation Of One Million One Hundred Ten Thousand Dollars (\$1,110,000), Plus Applicable Closing Costs, From The Fiscal Year 2004/2005 Parking Enterprise Fund To Pay For The Purchase Of The Property Located At 1833 Bay Road, Miami Beach, Florida. (Page 470)
(Asset Management)
- R7J A Resolution Waiving, By 5/7ths Vote, The Competitive Bidding Requirement, And Approving And Authorizing The Mayor And City Clerk To Execute An Agreement For Governmental Services, In The Amount Of \$100,000, Between The City And Jorden, Burt, Berenson, And Johnson, Llp, To Provide Lobbying And Consulting Services In Washington, D.C., Commencing On February 20, 2005, And Ending On September 30, 2008, With Two (2) One Year Renewal Options To Be Exercised At The City's Sole Discretion. (Page 479)
(Economic Development)
- R7K A Resolution Approving The City's 2006 Federal Governmental Agenda. (Page 494)
(Economic Development)

R9 - New Business and Commission Requests

R9A Board and Committee Appointments. (Page 504)
(City Clerk's Office)

R9A(1) Art In Public Places (Four Appointments) (Page 510)
R9A(2) Audit Committee (As Determined By The City Commission)
R9A(3) Board Of Adjustment (Seven Appointments)
R9A(4) Budget Advisory Committee (Two Appointments)
R9A(5) Design Review Board (Four Appointments)
R9A(6) Health Advisory Committee (Four Appointments)
R9A(7) Health Facilities Authority (One Appointment)
R9A(8) Historic Preservation Board (Four Appointments)
R9A(9) Miami Beach Cultural Arts Council (Four Appointments - Pending Slate Of Candidates)
R9A(10) Normandy Shores Local Government Neighborhood Improvement
R9A(11) Oversight Committee For General Obligation Bonds (Three Appointments)
R9A(12) Personnel Board (Three Appointments)
R9A(13) Planning Board (Three Appointments)
R9A(14) Visitor And Convention Authority (Three Appointments)

R9B(1) Dr. Stanley Sutnick Citizen's Forum. (1:30 p.m.) (Page 512)
R9B(2) Dr. Stanley Sutnick Citizen's Forum. (5:30 p.m.)

R9C The Committee Of The Whole Will Meet During Lunch Break In The City Manager's Large Conference Room To Review The Resident Survey. (Page 514)
(Requested by Mayor David Dermer)

R9D Discussion Regarding Waiving The Police Service Fees For The Miami Tropical Marathon. (Page 516)
(Requested by Vice-Mayor Simon Cruz)

R9E Discussion Regarding A Resolution Of The Planning Board Of The City Of Miami Beach, Informing The City Commission That The Planning Board Is Currently Examining Issues Related To Entertainment Uses Within The City, And Requesting The City Commission's Input And Concurrence With The Direction Of The Board's Efforts. (Page 530)
(Planning Department)

R9F Verbal Report To The City Commission On The Coastal Communities Meeting Convened By The Mayor And City Manager On January 10, 2005 To Discuss A Multi-City Grant Application To Undertake A Regional Transportation Study. (Page 534)
(City Manager's Office)

R9 - New Business and Commission Requests (Continued)

- R9G Discussion Regarding RDP Royal Palm Hotel Limited Partnership - Amendment To Declaration Of Covenants And Restrictions. (Page 536)
(City Attorney's Office)
- R9H Discussion Regarding FDOT's Harding Avenue Project. (Page 538)
(Requested by Commissioner Richard L. Steinberg)

Reports and Informational Items

- A City Attorney's Status Report. (Page 541)
(City Attorney's Office)
- B Parking Status Report. (Page 545)
(Parking Department)
- C Status Report On The Rehabilitation Of The Existing Building And Construction Of The New Fire Station No. 2. (Page 585)
(Capital Improvement Projects)
- D Status Report On The Construction Of Fire Station No. 4. (Page 587)
(Capital Improvement Projects)
- E Informational Report To The Mayor And City Commission, On Federal, State, Miami-Dade County, U.S. Communities, And All Existing City Contracts For Renewal Or Extensions In The Next 180 Days. (Page 589)
(Procurement)

End of Regular Agenda

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



OFFICE OF THE CITY CLERK

HOW A PERSON MAY APPEAR BEFORE THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA

THE REGULARLY SCHEDULED MEETINGS OF THE CITY COMMISSION ARE ESTABLISHED BY RESOLUTION. SCHEDULED MEETING DATES ARE AVAILABLE ON THE CITY'S WEBSITE, DISPLAYED ON CHANNEL 20, AND ARE AVAILABLE IN THE CITY CLERK'S OFFICE. COMMISSION MEETINGS COMMENCE AT 9:00 AM. GENERALLY THE CITY COMMISSION IS IN RECESS DURING THE MONTH OF AUGUST.

1. DR. STANLEY SUTNICK CITIZENS' FORUM will be held during the first Commission meeting each month. The Forum will be split into two (2) sessions, 1:30 p.m and 5:30 p.m. Approximately thirty (30) minutes will be allocated per session for each of the subjects to be considered, with individuals being limited to no more than three (3) minutes. No appointment or advance notification is needed in order to speak to the Commission during this forum.
2. Prior to every Commission meeting, an Agenda and backup material are published by the Administration. Copies of the Agenda may be obtained at the City Clerk's Office on the Monday prior to the Commission regular meeting. The complete Agenda, including all backup material, is available for inspection the Monday and Tuesday prior to the Commission meeting at the City Clerk's Office and at the following Miami Beach Branch Libraries: Main, North Shore, and South Shore. The information is also available on the City's website which is - <http://ci.miami-beach.fl.us>.
3. Any person requesting placement of an item on the Agenda must provide a written statement with his/her complete address and telephone number to the Office of the City Manager, 1700 Convention Center Drive, 4th Floor, Miami Beach, FL 33139, briefly outlining the subject matter of the proposed presentation. In order to determine whether or not the request can be handled administratively, an appointment may be scheduled to discuss the matter with a member of the City Manager's staff. "Requests for Agenda Consideration" will not be placed on the Agenda until after Administrative staff review. Such review will ensure that the issue is germane to the City's business and has been addressed in sufficient detail so that the City Commission may be fully apprised. Such written requests must be received in the City Manager's Office no later than noon on Tuesday of the week prior to the scheduled Commission meeting to allow time for processing and inclusion in the Agenda package. Presenters will be allowed sufficient time, within the discretion of the Mayor, to make their presentations and will be limited to those subjects included in their written requests.
4. Once an Agenda for a Commission Meeting is published, persons wishing to speak on items listed on the Agenda may call or come to City Hall, Office of the City Clerk, 1700 Convention Center Drive, telephone 673-7411, before 5:00 p.m. on the Tuesday prior to the Commission meeting and give their name, the Agenda item to be discussed, and if known, the Agenda item number.
5. All persons who have been listed by the City Clerk to speak on the Agenda item in which they are specifically interested, and persons granted permission by the Mayor, with the approval of the City Commission, will be allowed sufficient time, within the discretion of the Mayor, to present their views. When there are scheduled public hearings on an Agenda item, IT IS NOT necessary to register at the City Clerk's Office in advance of the meeting. All persons wishing to speak at a public hearing may do so and will be allowed sufficient time, within the discretion of the Mayor, to present their views.
6. If a person wishes to address the Commission on an emergency matter, which is not listed on the agenda, there will be a period of fifteen minutes total allocated at the commencement of the Commission Meeting at 9:00 a.m. when the Mayor calls for additions to, deletions from, or corrections to the Agenda. The decision as to whether or not the matter will be heard, and when it will be heard, is at the discretion of the Mayor and the City Commission. On the presentation of an emergency matter, the speaker's remarks must be concise and related to a specific item. Each speaker will be limited to three minutes.

CITY OF MIAMI BEACH

2005 CITY COMMISSION AND REDEVELOPMENT AGENCY MEETINGS

Wednesday, January 12

Wednesday, February 2

Wednesday, February 23

Wednesday, March 16

Wednesday, April 13

Wednesday, May 4

Wednesday, May 25

Wednesday, June 8

Wednesday, July 6

Wednesday, July 27

August, RDA is in recess

Wednesday, September 7

Wednesday, October 19

Wednesday, November 2 *

Wednesday, November 16*
(if run-off required)

Wednesday, December 7

*Election items only

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, amending Ordinance No. 789, the Classified Employees Salary Ordinance, for the Group I classifications, being the classifications covered by the American Federation Of State, County And Municipal Employees (AFSCME); Local No. 1554, in accordance with the negotiated agreement; retroactively increasing on the first pay period beginning April 19, 2004, the minimum of the ranges by three percent (3%) and the maximum of the ranges by three percent (3%); retroactively increasing the salary of each employee by three percent (3%) effective with the first pay period beginning April 19, 2004; bargaining unit employees shall receive an across the board increase of three percent (3%) with the first pay period beginning April 18, 2005, and a three percent (3%) increase to the minimum and maximum of the ranges; and an across the board increase of three and one half percent (3.5%) with the first pay period beginning May 1, 2006, and a three and one half percent (3.5%) increase to the minimum and the maximum of the ranges; providing for a Repealer, Severability, Codification and Effective Date.

Issue:

Shall the City amend the Classified Salary Ordinance to allow for implementation of the COLA salary provision of the AFSCME negotiated bargaining agreement which was adopted by the Commission on December 8, 2004?

Item Summary/Recommendation:

The City Commission approved the Ordinance on first reading on December 8, 2004, and set a second reading, public hearing for January 12, 2005. The Administration recommends that the City Commission adopt the Ordinance.

Advisory Board Recommendation:

N/A

Financial Information:

Amount to be expended:

Source of Funds:		Year-1 cost	3-Year cost	Account	Approved
<div style="border: 1px solid black; width: 50px; height: 50px; margin: 0 auto;"></div> Finance Dept.	1	\$262,006	\$856,161	COLA-- Various Departments	
	2				
	3				
	4				
	Total	\$262,006	\$856,161		

City Clerk's Office Legislative Tracking:

Sign-Offs:

Department Director	Assistant City Manager	City Manager
Mayra Diaz Buttacavoli <i>Mayra Diaz Buttacavoli</i>		

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AGENDA ITEM R5A
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**SECOND READING
PUBLIC HEARING**

Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); RETROACTIVELY INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION AND EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Ordinance was approved on first reading on December 8, 2004. The Commission set a second reading, public hearing for January 12, 2005.

ANALYSIS

The City negotiated a contract with the American Federation of State, County, and Municipal Employees (AFSCME) bargaining unit. This amendment will implement the provisions of the contract to provide a retroactive 3% cost of living adjustment increase for all bargaining unit employees and retroactively increase the minimum of the salary ranges by 3% and the maximum by 3% for the first pay period beginning April 19, 2004; a

3% cost of living adjustment increase for all bargaining unit employees and increase the minimum of the salary ranges by 3% and the maximum by 3% for the first pay period beginning April 18, 2005; and a 3.5% cost of living adjustment increase for all bargaining unit employees and increase the minimum of the salary ranges by 3.5% and the maximum by 3.5% for the first pay period beginning May 1, 2006. These increases will provide additional incentives and competitiveness to attract and retain new and existing employees in these classifications. Based on current active employees, the estimated cost for the wage increase is approximately \$856,161 over the three (3) year period.

CONCLUSION

By amending the Classified Salary Ordinance for classified employees covered by the American Federation of State, County, and Municipal Employees (AFSCME) bargaining unit, the City will implement the negotiated bargaining agreement and ensure that the City has an employee classification and compensation system which is fair and externally competitive.

JMG:MDB:GPL:NJ *MLB*

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1: That the following lines in Section 1 of the Classified Salary Ordinance No. 789 as heretofore amended shall be amended to read as follows:

PAY GRADES AND SALARIES

A. Salary Grades and Ranges

shall be amended the first pay period beginning April 19, 2004, to read as follows:

GRADE	MINIMUM			MAXIMUM		
	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	ANNUAL	ANNUAL
10	<u>\$1,337.81</u>	\$33,769	<u>\$34,783</u>	<u>\$2,160.62</u>	\$54,540	<u>\$56,176</u>
9	<u>\$1,231.15</u>	\$31,078	<u>\$32,010</u>	<u>\$1,988.46</u>	\$50,195	<u>\$51,700</u>
8	<u>\$1,133.04</u>	\$28,604	<u>\$29,459</u>	<u>\$1,829.96</u>	\$46,194	<u>\$47,579</u>
7	<u>\$1,042.69</u>	\$26,321	<u>\$27,110</u>	<u>\$1,684.08</u>	\$42,511	<u>\$43,786</u>
6	<u>\$959.62</u>	\$24,223	<u>\$24,950</u>	<u>\$1,549.85</u>	\$39,123	<u>\$40,296</u>
5	<u>\$883.12</u>	\$22,293	<u>\$22,961</u>	<u>\$1,426.27</u>	\$36,003	<u>\$37,083</u>
4	<u>\$812.73</u>	\$20,516	<u>\$21,131</u>	<u>\$1,312.65</u>	\$33,135	<u>\$34,129</u>
3	<u>\$747.92</u>	\$18,880	<u>\$19,446</u>	<u>\$1,208.04</u>	\$30,494	<u>\$31,409</u>
2	<u>\$688.35</u>		<u>\$17,897</u>	<u>\$1,111.73</u>		<u>\$28,905</u>
1	<u>\$633.46</u>		<u>\$16,470</u>	<u>\$1,023.08</u>		<u>\$26,600</u>

shall be amended the first pay period beginning April 18, 2005, to read as follows:

GRADE	MINIMUM				MAXIMUM			
	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL
10	\$1,337.81	<u>\$1,377.94</u>	\$34,783	<u>\$35,826</u>	\$2,160.62	<u>\$2,225.43</u>	\$56,176	<u>\$57,861</u>
9	\$1,231.15	<u>\$1,268.09</u>	\$32,010	<u>\$32,970</u>	\$1,988.46	<u>\$2,048.12</u>	\$51,700	<u>\$53,251</u>
8	\$1,133.04	<u>\$1,167.03</u>	\$29,459	<u>\$30,343</u>	\$1,829.96	<u>\$1,884.86</u>	\$47,579	<u>\$49,006</u>
7	\$1,042.69	<u>\$1,073.97</u>	\$27,110	<u>\$27,923</u>	\$1,684.08	<u>\$1,734.60</u>	\$43,786	<u>\$45,100</u>
6	\$959.62	<u>\$988.40</u>	\$24,950	<u>\$25,699</u>	\$1,549.85	<u>\$1,596.34</u>	\$40,296	<u>\$41,505</u>
5	\$883.12	<u>\$909.61</u>	\$22,961	<u>\$23,650</u>	\$1,426.27	<u>\$1,469.06</u>	\$37,083	<u>\$38,195</u>
4	\$812.73	<u>\$837.11</u>	\$21,131	<u>\$21,765</u>	\$1,312.65	<u>\$1,352.03</u>	\$34,129	<u>\$35,153</u>
3	\$747.92	<u>\$770.36</u>	\$19,446	<u>\$20,029</u>	\$1,208.04	<u>\$1,244.28</u>	\$31,409	<u>\$32,351</u>
2	\$688.35	<u>\$709.00</u>	\$17,897	<u>\$18,434</u>	\$1,111.73	<u>\$1,145.08</u>	\$28,905	<u>\$29,772</u>
1	\$633.46	<u>\$652.47</u>	\$16,470	<u>\$16,964</u>	\$1,023.08	<u>\$1,053.77</u>	\$26,600	<u>\$27,398</u>

shall be amended the first pay period beginning on May 1, 2006, to read as follows:

GRADE	MINIMUM				MAXIMUM			
	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL	BIWEEKLY	BIWEEKLY	ANNUAL	ANNUAL
10	\$1,377.94	<u>\$1,426.17</u>	\$35,826	<u>\$37,080</u>	\$2,225.43	<u>\$2,303.32</u>	\$57,861	<u>\$59,886</u>
9	\$1,268.09	<u>\$1,312.47</u>	\$32,970	<u>\$34,124</u>	\$2,048.12	<u>\$2,119.80</u>	\$53,251	<u>\$55,115</u>
8	\$1,167.03	<u>\$1,207.88</u>	\$30,343	<u>\$31,405</u>	\$1,884.86	<u>\$1,950.83</u>	\$49,006	<u>\$50,722</u>
7	\$1,073.97	<u>\$1,111.56</u>	\$27,923	<u>\$28,901</u>	\$1,734.60	<u>\$1,795.31</u>	\$45,100	<u>\$46,678</u>
6	\$988.40	<u>\$1,023.00</u>	\$25,699	<u>\$26,598</u>	\$1,596.34	<u>\$1,652.21</u>	\$41,505	<u>\$42,958</u>
5	\$909.61	<u>\$941.45</u>	\$23,650	<u>\$24,478</u>	\$1,469.06	<u>\$1,520.47</u>	\$38,195	<u>\$39,532</u>
4	\$837.11	<u>\$866.41</u>	\$21,765	<u>\$22,527</u>	\$1,352.03	<u>\$1,399.35</u>	\$35,153	<u>\$36,383</u>
3	\$770.36	<u>\$797.32</u>	\$20,029	<u>\$20,730</u>	\$1,244.28	<u>\$1,287.83</u>	\$32,351	<u>\$33,484</u>
2	\$709.00	<u>\$733.81</u>	\$18,434	<u>\$19,079</u>	\$1,145.08	<u>\$1,185.16</u>	\$29,772	<u>\$30,814</u>
1	\$652.47	<u>\$675.30</u>	\$16,964	<u>\$17,558</u>	\$1,053.77	<u>\$1,090.65</u>	\$27,398	<u>\$28,357</u>

SECTION 2: REPEALER.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3: SEVERABILITY.

If any section, subsection, clause, or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4: EFFECTIVE DATES.

This Ordinance Amendment shall become effective the first pay period beginning April 19, 2004, the first pay period beginning April 18, 2005, and the first pay period beginning May 1, 2006, respectively.

SECTION 5: CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

PASSED and ADOPTED this _____ day of _____, 2004


MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

T:\AGENDA\2004\Dec0804\Regular\sal ord cl AFSCME chart 2003_2004 .doc

 12-2-04
City Attorney Date

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS



NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at the times listed below to consider the following:**

at 10:15 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

at 10:16 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

at 10:17 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Inquiries may be directed to Human Resources at (305)673-7524.

at 10:18 a.m.:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

at 10:20 a.m.:

TO CONSIDER AN AMENDMENT TO THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS," AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PSI THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS.

Inquiries may be directed to the Planning Department at (305)673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0293

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Second reading of the Ordinance amending the Classified Leave Ordinance 1335 to amend provisions for the donation of sick and annual leave to a qualified dependant beneficiary of an employee that has died.

Issue:

Shall the City amend the Classified Leave Ordinance to allow for the donation of sick and/or annual leave to a dependant of a deceased employee?

Item Summary/Recommendation:

Adopt the Ordinance on second reading and public hearing for the Commission Meeting of January 12, 2005 to amend the Classified Leave Ordinance No. 1335 to allow employees that meet certain criteria to be able to donate sick and/or annual leave to a qualified dependant of an employee of the City that has died. Implementation of these provisions, once approved by Ordinance, is contingent upon negotiation with the City's bargaining units of FOP, IAFF, GSA, CWA and AFSCME.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 50px; margin: 0 auto;"></div> Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli, Director of Human Resources & Risk Management

Sign-Offs:

Department Director	Assistant City Manager	City Manager
<i>Mayra D. Buttacavoli</i>		<i>Jorge</i>

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AGENDA ITEM ASB
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**SECOND READING
PUBLIC HEARING**

Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance on second reading and public hearing for the Commission meeting of January 12, 2005.

ANALYSIS

Pursuant to a referred request by Commissioner Luis R. Garcia, Jr., to establish a leave donation program to benefit dependents of deceased employees, a variety of alternatives were discussed at the Finance and Citywide Projects Committee of September 15, 2004.

At the Finance and Citywide Projects Committee meeting of September 15, 2004, the Committee requested the Administration to work with Commissioner Luis R. Garcia, Jr. in developing a method by which employees could donate annual and sick leave hours to the dependant beneficiary of a deceased employee.

The committee requested that any donation made by an employee be deducted from their leave balance available to be paid when they leave employment with the City. Additionally, the following are some of the stipulations that were added as a result of the Administrations meeting with Commissioner Luis R. Garcia, Jr.:

- Donating employees must have at least 5 years of service with the City of Miami Beach;
- The donating employee must maintain a balance of at least 260 combined hours of leave after the donation of time is made;
- The donated time will be computed at the donors current rate of pay in effect at the time of the donation;
- The donating employee will be required to sign an agreement that this donated time will reduce the number of hours available for payment of their final leave settlement.

- The deceased employee must designate a dependant beneficiary.

The Finance and Citywide Projects Committee approved the amended language at their meeting of November 23, 2004 and asked that the Ordinance be brought to the Commission for approval.

Implementation for the bargaining units of Fraternal Order of Police (FOP), International Association of Fire Fighters (IAFF), Government Supervisors Association (GSA), Communication Workers of America (CWA) and American Federation of State, County, and Municipal Employees (AFSCME) is contingent upon negotiation.

CONCLUSION

The City Administration recommends that the Commission adopt the Classified Leave Ordinance amendments stated above.

JMG:MDB:ph

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1: That the following section of the Classified Leave Ordinance No. 1335 shall be amended to add Section 16(a) to read as follows:

SECTION 16 (a): Donation of Annual Leave and Sick Leave on the death of a co-worker

1. In those instances where a regular full time employee, with at least five (5) years of service with the City and a qualified designated dependant beneficiary, dies while in the employ of the City, other City employees may donate a portion of their annual or sick leave to that particular employee's dependant.

2. The donating employee must maintain a balance of at least 260 combined hours of annual and sick leave.

3. The donated time will be computed at the donating employee's current rate of pay at the time of donation.

4. One check of all donations will be issued to the employee's designated dependant beneficiary. If no dependant has been specified, the funds will go to the life insurance beneficiary, if that person meets the beneficiary designation.

5. A designated dependant qualified beneficiary shall mean a spouse, domestic partner, dependant child, or other person that meets that definition of a dependant under Internal Revenue Service (IRS) guidelines.

6. There will be a two (2) week period, immediately following the City's announcement of the employee's death, when employees may donate time. No donations will be accepted after that date.

7. The amount of time donated by the donating employee will reduce that employee's final leave settlement.

8. The donating employee donating will be required to sign a form indicating the hours donated and that these hours will reduce his/her final leave settlement. This signed form will be retained in the donating employee's personnel file.

* * *

17. Collective Bargaining Contingency:

As to employees in classifications governed by union contracts, implementation of the measures hereby amended in Sections 16(a), is contingent upon collective bargaining and approval by the unions to the extent such approval is necessary. Should any inconsistencies exist between this Ordinance and the union contracts, then the language of the union contracts shall supersede.

SECTION 2: REPEALER.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3: SEVERABILITY.

If any section, subsection, clause, or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4: CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: EFFECTIVE DATES.

This Ordinance shall take effect the _____ day of _____, 2004

PASSED and ADOPTED this _____ day of _____, 2004.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

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M. P. Williams 12-2-04
City Attorney Date

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS



NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at the times listed below to consider the following:**

at 10:15 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

at 10:16 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

at 10:17 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Inquiries may be directed to Human Resources at (305)673-7524.

at 10:18 a.m.:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

at 10:20 a.m.:

TO CONSIDER AN AMENDMENT TO THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS;" AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PSI THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS.

Inquiries may be directed to the Planning Department at (305)673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0293

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Second reading of the Ordinance amending the Unclassified Leave Ordinance 1613 to amend provisions for the donation of sick and annual leave to a qualified dependant beneficiary of an employee that has died.

Issue:

Shall the City amend the Unclassified Leave Ordinance to allow for the donation of sick and/or annual leave to a dependant of a deceased employee?

Item Summary/Recommendation:

Adopt the Ordinance on second reading and public hearing for the Commission Meeting of January 12, 2005 to amend the Unclassified Leave Ordinance No. 1613 to allow employees that meet certain criteria to be able to donate sick and/or annual leave to a qualified dependant of an employee of the City that has died.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 40px; margin: 0 auto;"></div> Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Mayra D. Buttacavoli, Director of Human Resources & Risk Management

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM A5C
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**SECOND READING
PUBLIC HEARING**

Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance on second reading and public hearing for the Commission meeting of January 12, 2005.

ANALYSIS

Pursuant to a referred request by Commissioner Luis R. Garcia Jr., to establish a leave donation program to benefit dependents of deceased employees, a variety of alternatives were discussed at the Finance and Citywide Projects Committee of September 15, 2004.

At the Finance and Citywide Projects Committee meeting of September 15, 2004, the Committee requested the Administration to work with Commissioner Luis R. Garcia, Jr. in developing a method by which employees could donate annual leave/sick time to the dependant beneficiary of an employee that had died.

The committee requested that any donation made by an employee be deducted from their leave balance available to be paid when they leave employment with the City. Additionally, the following are some of the stipulations that were added as a result of the Administrations meeting with Commissioner Luis R. Garcia, Jr.:

- Donating employees must have at least 5 years of service with the City of Miami Beach;
- The donating employee must maintain a balance of at least 260 combined hours of leave;
- The donated time will be computed at the donors current rate of pay in effect at the time of the donation;

- The donating employee will be required to sign an agreement that this donated time will reduce the number of hours available for payment of their final leave settlement.

The Finance and Citywide Projects Committee approved the amended language at their meeting of November 23, 2004 and asked that the Ordinance be brought to the Commission for approval.

CONCLUSION

The City Administration recommends that the Commission adopt the Unclassified Leave Ordinance amendments stated above.

JMG:MDB:ph

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1: That the following section of the Unclassified Leave Ordinance No. 1613 shall be amended to add Section 14(a) to read as follows:

* * *

SECTION 14 (a): Donation of Annual Leave and Sick Leave on the death of a co-worker

1. In those instances where a regular full time employee, with at least five (5) years of service with the City and a qualified designated dependant beneficiary, dies while in the employ of the City, other City employees may donate a portion of their annual or sick leave to that particular employee's dependant.

2. The donating employee must maintain a balance of at least 260 combined hours of annual and sick leave.

3. The donated time will be computed at the donating employee's current rate of pay at the time of donation.

4. One check of all donations will be issued to the employee's designated dependant beneficiary. If no dependant has been specified, the funds will go to the life insurance beneficiary, if that person meets the beneficiary designation.

5. A qualified designated dependant beneficiary shall mean a spouse, domestic partner, dependant child, or other person that meets that definition of a dependant under Internal Revenue Service (IRS) guidelines.

6. There will be a two (2) week period, immediately following the City's announcement of the employee's death, when employees may donate time. No donations will be accepted after that date.

7. The amount of time donated by the donating employee will reduce that employee's final leave settlement.

8. The donating employee donating time will be required to sign a form indicating the hours donated and that these hours will reduce his/her final leave settlement. This signed form will be retained in the donating employee's personnel file.

* * *

SECTION 2: REPEALER.

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3: SEVERABILITY.

If any section, subsection, clause, or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4: CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5: EFFECTIVE DATES.

This Ordinance shall take effect the _____ day of _____, 2004.

PASSED and ADOPTED this _____ day of _____, 2004.

MAYOR

ATTEST:

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

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W. H. Melnick 12-9-04
City Attorney Date

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS



NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at the times listed below to consider the following:**

at 10:15 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

at 10:16 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

at 10:17 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Inquiries may be directed to Human Resources at (305)673-7524.

at 10:18 a.m.:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

at 10:20 a.m.:

TO CONSIDER AN AMENDMENT TO THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS;" AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PSI THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS.

Inquiries may be directed to the Planning Department at (305)673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0293

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CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

Design Review Board Appeals.

Issue:

Amendment to the Design Review Section of the City Code, modifying the procedures for filing an appeal of a Board decision.

Item Summary/Recommendation:

On December 8, 2004 the City Commission approved the subject Ordinance on First Reading, but instructed the Administration and the City Attorney to draft more simplified language. The revised Ordinance reflects the changes sought by the City Commission.

The Administration recommends that the Ordinance be approved.

Advisory Board Recommendation:

The Planning Board transmitted the proposed Ordinance, with a favorable recommendation, to the City Commission on October 26, 2004. The Design Review Board evaluated the Ordinance on October 19, 2004 and recommended approval.

Financial Information:

Source of Funds: <div>Finance Dept.</div>		Amount	Account	Approved
	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Jorge Gomez or Thomas Mooney

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM RSD
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
http://ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members Of The City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**SECOND READING
PUBLIC HEARING**

Subject: Design Review Board Appeal Procedures

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

Adopt the Ordinance.

ANALYSIS

Appeals of Design Review Board decisions to the City Commission are filed with the City Clerk. Although a notice of appeal must be filed within 20 days of the rendering of the DRB Order, and transcripts of the meeting must be filed, there is no requirement that the appellant provide the reasons for the appeal at the time it is submitted.

In order to address this deficiency, the Design Review section of the City Code is being amended to require that the factual basis and legal argument in support of an appeal be submitted at the time the appeal is filed, and not midway through the appellate process, or at the time the matter is heard by the City Commission. The Administration had previously recommended that additional language be added to include specific references to the discussion of the record evidence, as well as citations and analysis of controlling cases and other relevant legal authority. However, the Commission expressed some concerns that such an expanded legal requirement could impact the ability of an average resident or property owner to file an appeal.

The proposed Ordinance was reviewed by the Design Review Board on October 19, 2004, which recommended that it be approved. The Planning Board transmitted the Ordinance to the City Commission with a favorable recommendation on October 26, 2004.

On December 8, 2004 the City Commission approved the subject Ordinance on First Reading, but instructed the Administration and the City Attorney to draft more simplified language. The revised Ordinance reflects the changes sought by the City Commission.

FISCAL IMPACT:

The proposed Ordinance is not expected to have any fiscal impact.

CONCLUSION:

The Administration recommends that the Mayor and City Commission adopt the proposed Ordinance Amendment.

Pursuant to Section 118-164(4) of the City Code, an affirmative vote of five-sevenths shall be necessary in order to enact any amendments to the Land Development Regulations.

JMG/CMC/JGG/TRM

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach continually seeks to update and clearly define the requirements of the Land Development Regulations of the Code of the City of Miami Beach as they pertain to the City's Development Review Boards; and

WHEREAS, the City of Miami Beach has adopted regulations pertaining to the review of decisions of the Design Review Board by the City Commission; and,

WHEREAS, The City of Miami Beach desires to refine, clarify, expand and enhance the requirements for requesting a review of a decision of the Design Review Board; and,

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. That Chapter 118, Entitled "Administration and Review Procedures", Article VI, Entitled "Design Review Procedures", of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 118-262. Review of design review decisions.

- (a) The applicant, or the city manager on behalf of the city administration, or an affected person, Miami Design Preservation League or Dade Heritage Trust may seek review of any order of the design review board by the city commission, except that orders granting or denying a request for rehearing shall not be reviewed by the commission. For purposes of this section, "affected person" shall mean either (i) a person owning property within 375 feet of the applicant's project reviewed by the board, or (ii) a person that appeared before the design review board (directly or represented by counsel), and whose appearance is confirmed in the record of the design review board's public hearing(s) for such project. The review shall be based on the record of the hearing before the design review board, shall not be a de novo hearing, and no new, additional testimony shall be taken. The request shall be in writing, include all applicable fees, shall be by or on behalf of a named appellant(s), shall state the factual bases and legal argument in support of the

appeal, and shall be submitted to the city clerk on or before the twentieth day after the date of rendition of the board's order. However, in the event that a petition for rehearing is filed pursuant to section 118-261, the time for filing a request shall be on or before the twentieth day after the date of rendition of the board's order on the petition. Upon receipt of the request, the city clerk shall place the request for review on the city commission agenda. The city commission shall set a date and time for a hearing. Notice of the review shall be according to section 118-254, except that there shall be no requirement for mailed notification regarding the subject review. A full verbatim transcript of all proceedings which are the subject of the appeal shall be provided by the party filing the petition, along with a written statement identifying those specific portions of the transcript upon which the party filing it will rely for purposes of the appeal.; ~~the~~ The verbatim transcript and written statement shall be filed no later than two weeks prior to the first scheduled public hearing to consider the appeal.

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.


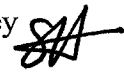
PASSED AND ADOPTED this ____ day of _____, 2004.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney 

1-3-05
Date

First Reading: December 8, 2004
Second Reading: January 12, 2005

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

Underscore denotes new language

1/3/2005

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CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS



NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at the times listed below to consider the following:**

at 10:15 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

at 10:16 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

at 10:17 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Inquiries may be directed to Human Resources at (305)673-7524.

at 10:18 a.m.:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

at 10:20 a.m.:

TO CONSIDER AN AMENDMENT TO THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS," AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PSI THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS.

Inquiries may be directed to the Planning Department at (305)673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0293

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

An ordinance amending the Temporary and Provisional Parking Lot Standards and prohibiting provisional parking lots in the RPS districts; clarifying sign regulations for Temporary and Provisional Parking Lots and modifying the landscape standards for Temporary and Provisional Parking Lots.

Issue:

Should the regulations for the Temporary and Provisional Parking Lot Standards be amended to increase landscaping standards; prohibit provisional parking lots in the RPS districts; and clarify sign regulations for Temporary and Provisional Lots?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the proposed ordinance on first reading public hearing and set a second reading public hearing for the February 2, 2005 after 5:00 p.m.

Advisory Board Recommendation:

At the October 26, 2004 meeting of the Planning Board, by a vote of 6-0 (one member absent) the Board recommended approval of the proposed ordinance to the City Commission.

Financial Information:

Source of Funds:		Amount	Account	Approved
<div><div></div><div>Finance Dept.</div></div>	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Mercy Lamazares/Jorge Gomez

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

RSE

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

First Reading Public Hearing

Subject: Temporary and Provisional Parking Lots Standards

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS;" AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PS1 THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the ordinance on first reading public hearing and set a second reading public hearing for the February 2, 2005 meeting after 5:00 p.m.

BACKGROUND

At the August 24, 2004, the Planning Board requested a review of the regulations in the City Code pertaining to the Provisional and Temporary Parking lot standards, and to bring forth an amendment that would do the following:

- Upgrade the standards of the required landscaping for both the temporary and provisional parking lots.
- Create requirements for copy to be included in permitted signs that would identify the operator, phone numbers of contact for problems or complaints, the type of use, fees.
- Standardize the conditions of approval
- Prohibit provisional lots in the RPS districts.

Currently the City Code permits Temporary commercial or noncommercial parking lots in the MR Marine Recreational District, GU Government Use District, MXE Mixed Use Entertainment District or in any commercial district. Temporary, noncommercial lots may be located in the R-PS1--4 and in any multifamily residential district or within the architectural district as defined in Section 114-1. A noncommercial lot is one where parking is initially approved for a specific use and not offered to the general public.

Temporary parking lots can exist for three years and a request can be made for one initial extension of time for a two-year period, which would be granted by the Planning Board. After the initial extension of time, the planning director may grant up to five one-year extensions of time.

Provisional commercial or noncommercial parking lots may be operated in the CD1-3 (commercial, low to high intensity) districts, CPS-1 and 2 (commercial performance standards districts), RPS-1 through 3 (residential performance standards districts), I-1 (light industrial) district, and MXE (mixed use entertainment) district. These lots may be operated independent of a primary use.

Provisional parking lots are not permitted to exist for a period of time greater than one year; however, a request for one extension of time for a period not exceeding six months may be requested from the planning director. Any further extension of time is prohibited.

ANALYSIS

For some time the Planning Board, as well as Planning Department staff, have been concerned about parking lots throughout the City, how they look, how they are maintained and the standards that currently exist in the City Code. In recent applications for extensions of time for existing temporary parking lots, the Planning Board has expressed these concerns and has requested an amendment to the City Code that upgrades the existing standards and addresses all these concerns.

At the September 2004 meeting of the Planning Board, an application for an amendment to the Code relative to temporary parking lots in the MXE district was reviewed. Planning Department staff recommended approval of the amendment suggesting some modifications to the request - improvements to the landscaping standards among others. The Board recommended that the City Commission approve the request incorporating staff suggestions. This proposed amendment was adopted by the City Commission at its December 8, 2004 meeting.

As a segue to the ordinance mentioned above, revisions to Sections 130-70 and 130-71 of the Code are being proposed pertaining to Temporary and Provisional Parking Lots. The amendment to the Temporary Parking Lot Standards for those lots existing in the MXE also included a provision for the extension of the potential life-span from 10 years to an additional five years for a total of 15 years, with interim reviews by the Planning Board; this provision is not proposed for temporary parking lots in other zoning districts, as temporary parking lots in other districts may be converted to permanent parking lot standards, subject to the provisions of the City Code.

The proposed ordinance reorganizes sections of the Code for better understanding and sequencing; amends the provisional lot standards by upgrading the required landscaping; amends signage requirements to include the name of the operator, phone number where the operator can be contacted for information and complaints, and who can use the parking lot; and it eliminates the RPS districts (the residential districts located south of 6th Street) as locations for provisional parking lots.

It should be noted that provisional parking lots are not permitted in any RS, Single Family, or RM, multifamily zoning districts. The elimination of provisional parking lots in the RPS districts was discussed at length during several Planning Board meetings. During these discussions, Board members articulated concerns relative to the adverse impact these types of parking lots may have in a redevelopment area that has increased in stature with new developments or increased renovation of existing structures. Board members believe that the lower standards of the

provisional parking lot (crushed rock surface) are not longer compatible with the residential character of the area and that it would be best to prohibit them. Provisional parking lots are still permitted in the C-PS1 and 2 (Commercial Performance Standards Districts), CD-1 through 3 (Commercial, Low to High Intensity), I-1 (Light Industrial) and MXE (Mixed Use Entertainment).

PLANNING BOARD ACTION

At the October 26, 2004 meeting of the Planning Board, by a vote of 6-0 (one member absent) recommended approval of the proposed ordinance to the City Commission.

FISCAL IMPACT

This proposal has no associated negative fiscal impact upon enactment.

CONCLUSION

Because of all the concerns enumerated above, the Administration concurs with the Planning Board recommendation and supports the proposed amendment. It is therefore recommended that the proposed ordinance be approved on first reading public hearing and a second reading public hearing be set for the February 2, 2005 meeting after 5:00 p.m.

Pursuant to Section 118-164(2), when a request to amend these Land Development Regulations changes the actual list of permitted, conditional or prohibited uses in a zoning category, the City Commission shall hold two advertised public hearings on the proposed ordinance; at least one hearing shall be held after 5:00 p.m. The first public hearing shall be held at least seven days after the day that the first advertising is published. The second public hearing shall be advertised at least five days prior to the public hearing.

Immediately following the public hearing at the second reading public hearing, the City Commission may adopt the ordinance by an affirmative vote of five-sevenths of all members of the City Commission.


JMG/CMC/JGG/ML

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ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS;" AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PS1 THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, temporary parking lots may be operated in all commercial and multi-family zoning districts, and can potentially operate for ten (10) years, after which time they must convert to permanent parking lots or the use shall be abandoned; and

WHEREAS, provisional commercial or noncommercial parking lots may be operated in the CD1-3 (commercial, low to high intensity) districts, CPS-1 and 2 (commercial performance standards districts), R-PS1 through 3 (residential performance standards districts), I-1 (light industrial) district, and MXE (mixed use entertainment) district independent of a primary use; and

WHEREAS, because provisional parking are not be permitted to exist for a potential period of time greater than eighteen months, there are minimal landscaping standards required and not sufficient for compatibility with residential districts; and

WHEREAS, the landscaping standards for both temporary and provisional parking lots that currently exist do not enhance the physical environment of the surrounding neighborhoods, and

WHEREAS, it is the desire of the Planning Board as the Land Planning Agency for the City of Miami Beach to upgrade the existing landscaping standards to improve the visual and aesthetic standards throughout the City; and

WHEREAS, it is in the best interest of the City, its residents and visitors to improve the quality of life by displaying the exuberance of the tropical environment of the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

Section 1. That Section 130-70 "Temporary parking lot standards." is hereby amended as follows:

When permitted, the following standards are established for temporary parking lots:

- (1) Temporary commercial or noncommercial parking lots may be operated in the MR marine district, GU government use district, MXE Mixed Use Entertainment District or in any commercial district. These lots may be operated independent of a primary use. Temporary, noncommercial lots may be located in the R-PS1--4 and in any multifamily residential district or within the architectural district as defined in section 114-1. One sign per street frontage is permitted. The maximum size of each sign shall be five square feet per 50 feet of street frontage. This sign shall also include copy that indicates the name of the operator, the phone number of operator to report complaints, and who can use the parking facility; i.e., whether it is open to the general public, private, valet or self-parking.
- (2) Parking lots shall be brought to grade with no less than one inch of asphalt over a four-inch limerock base; however, the public works director may require a six-inch limerock base or thicker asphalt based upon conditions at the site, the intensity of the use at the site or if trucks are intended to be parked on the site that would require the additional base support. ~~Prior to the issuance of an occupational license for a temporary parking lot, the applicant shall submit a maintenance and watering plan which is approved by the planning, design and historic preservation division.~~ Surface stormwater shall not drain to adjacent property or a public right-of-way. If the public works director determines that there is insufficient area to accommodate drainage, additional measures may be required to adequately drain stormwater runoff.

* * *

- ~~(7) Prior to the issuance of an occupational license, a covenant running with the land which lists the applicable requirements of this section shall be recorded in the public records of the county.~~
- (8-7) Temporary parking lots shall not be permitted to exist for a period of time greater than three years from the date of certificate of occupancy or occupational license, whichever occurs first, regardless of ownership. At the end of this period, or such extensions that may be granted as contemplated herein, if the lot continues to be used for the purposes of parking, a permanent lot shall be constructed in conformity with these land development regulations; however, prior to expiration, an applicant may request from the planning board one initial extension of time for a period not exceeding two years. In granting the initial extension of time, or considering an appeal from the planning director's decision regarding an extension of time (as provided below), the board shall consider, among other things, whether the applicant has complied with all of the applicable requirements of these land development regulations, and any conditions imposed by the planning board, if any, during its period of operation, as well as any landscaping on the property that may not be in compliance with the requirements listed below. The notice of public hearing requirements shall be as set forth in chapter 118, article IV.

After the initial extension of time, and prior to expiration, the applicant may request from the planning director not more than five extensions of time for

periods not to exceed one year each. In considering a request for an extension of time, the director shall consider the same criteria considered by the planning board as specified above. After the initial extension of time, and prior to expiration, the applicant may request from the planning director not more than five extensions of time for periods not to exceed one year each. In considering a request for an extension of time, the director shall consider the same criteria considered by the planning board as specified above. Except that in the MXE District, for approved temporary parking lots existing as of September 28, 2004, that face Collins Avenue, an applicant may request from the planning board, a further extension of time for a period not to exceed two years. After this two-year extension, no more than three one-year extensions may be requested from the planning director. The review by the planning board shall consider the extent to which the existing or proposed landscaping on the property satisfies the landscaping review criteria. If existing or proposed landscaping is below the specified criteria, the planning board may determine whether such landscaping is sufficient based upon the characteristics of the property.

The decision of the director with respect to an extension of time may be appealed by the applicant to the planning board. The appeal shall be in writing and shall be submitted to the planning director on or before the 20th day after the date of the decision of the planning director. Review of the decision of the planning board shall be to a court of competent jurisdiction by petition for writ of certiorari.

(8) Landscaping requirements:

Landscaping requirements:

A landscape plan that specifies and quantifies the existing and/or proposed plant material inclusive of mature shade trees, hedge material, ground cover and in-ground irrigation shall be submitted for review and approval by the planning department, according to the following criteria.

- a. At a minimum, the plan shall indicate a five-foot wide, landscaped area bordering the surface area along a property line, street, alley or sidewalk. The areas fronting a street or alley shall be landscaped with a grouping of three palms every 15 linear feet of frontage or one canopy tree every 20 feet of frontage. All landscaped areas shall utilize St. Augustine Grass or planted material acceptable to the planning department.
- b. A hedge that is at least 36 inches in height at the time of planting shall be installed on the entire perimeter of the lot; hedges on street or alley frontages shall not exceed 42 inches in height at maturity. The hedge material planted on any side of the lot that abuts the lot line of another property shall be at least 48 inches (4 feet) in height at time of planting and shall not exceed 60 inches (5 feet) at maturity.
- c. For temporary parking lots seeking an extension of time from the planning board, the interior landscaping of lots exceeding 55 feet in width, shall be a minimum of five percent of net interior area. One shade tree or grouping of three palms with a clear trunk of at least six feet shall be provided for each 100 square feet or fraction thereof of required landscaped area.

Such landscaped areas shall be located and designed in such a manner as to divide and break up the expanse of paving. Parking lots that are 55 feet wide or less shall not be required to provide interior landscaping.

- d. Landscaped areas shall require protection from vehicular encroachment. Car stops shall be placed at least 2 ½ feet from the edge of the paved area.
 - e. Notwithstanding the dimensions of a parking lot, an in-ground irrigation system that covers 100 percent of the landscaped areas shall be required and shown on the landscape plan.
 - f. All landscaping that is placed on the lot shall be maintained in good condition so as to present a healthy, neat and orderly appearance. Prior to the issuance of an occupational license for a temporary parking lot, the applicant shall submit a plan for a recurring maintenance schedule that includes, but is not limited to, cleaning the lot, clipping of hedge material, removing and replacement of dead plant material, fertilization and irrigation. This maintenance plan shall be approved by the planning department.
- (9) If the lot is paved and not operated on a valet basis, then all parking spaces shall be marked by painted lines or curbs or other means to indicate individual spaces and wheel stops shall be provided. Vehicles shall not back out onto any street. The size of the parking spaces, back-out areas and exit/interior drives shall not have dimensions less than those required in sections 130-61 and 130-64. Lots operated on a valet basis shall have wheel stops at the edge of the pavement. All wheel stops required in this subsection shall be placed no less than four feet away from each other.
- ~~(10) There shall be a five-foot wide, landscaped area bordering the surfaced area along a property line, street alley or sidewalk. The front and rear areas shall be landscaped with canopy trees (minimum of two trees per 50 feet of street and alley frontage). All landscaped areas shall utilize St. Augustine Grass or planted material acceptable to the planning, design and historic preservation division. A 2 1/2-foot high hedge shall be placed along the side and rear property lines.~~
- ~~(11) No interior landscaping is required; however, all landscaping that is placed on the lot shall be maintained in good condition so as to present a healthy, neat and orderly appearance.~~
- ~~(12) Water for irrigation shall be available within 50 feet of all landscaped areas. A hose bib or an in-ground system is acceptable.~~
- ~~(13)~~ 10) Prior to the issuance of a building permit, the planning, design and historic preservation division department shall approve the site plan and landscaping plans. Prior to the issuance of an occupational license, the division department shall approve the placement, quality and size of landscaping material.
- ~~(14) Surface stormwater shall not drain to adjacent property or a public right-of-way. If the public works director determines that there is insufficient area to~~

~~accommodate drainage, he may require that for every 1,000 square feet of surface parking area, there shall be two 24-inch diameter round auger holes drilled to a depth of two feet below ground water and filled with rough, washing, ballast rock, brought to within six inches of an auger hole inlet casting.~~

- (15 ~~11~~) Any temporary parking lot that is nonconforming to these regulations six months after the effective date of these land development regulations or upon the expiration date of an existing occupational license, whichever is later, shall cease to exist.

Section 2. That Section 130-71, "Provisional Parking Lot Standards," is hereby amended as follows:

When permitted, the following standards are established for provisional parking lots:

- (1) Provisional commercial or noncommercial parking lots may be operated in the CD1-3 (commercial, low to high intensity) districts, CPS-1 and 2 (commercial performance standards districts), ~~RPS-1 through 3 (residential performance standards districts)~~, I-1 (light industrial) district, and MXE (mixed use entertainment) district. These lots may be operated independent of a primary use. One sign per street frontage is permitted. The maximum size of each sign shall be five square feet per 50 feet of street frontage, not to exceed 20 square feet. This sign shall also include copy that indicates the name of the operator, the phone number of operator to report complaints, the phone number for Code Compliance, and who can use the parking facility; i.e., whether it is open to the general public, private, valet or self-parking.
- (2) Provisional parking lots shall be brought to grade with a dust-free surface of no less than two inches of crushed rock. Prior to the issuance of an occupational license for a provisional parking lot, the applicant shall submit a plan which addresses the regular maintenance and watering of the parking and landscaped surfaces; such plan shall be approved by the planning, ~~design and historic preservation division~~ department and monitored for compliance. Surface stormwater drainage shall be approved by the public works department.
- (3) Should the city manager find that the operation of a provisional parking lot has an adverse effect on the welfare of surrounding properties, he may revoke the license pursuant to the procedures set forth in section 102-383 upon 48-hour written notification to the applicant.
- (4) Use of provisional parking lots shall not be for parking which is required by these land development regulations.
- (5) Provisional parking lots shall not be permitted to exist for a period of time greater than one year from the date of ~~certificate of completion~~, certificate of occupancy, or occupational license issuance, ~~(whichever occurs first)~~, regardless of ownership. At the end of this period, if the lot continues to be used for the purposes of parking, a temporary or permanent lot shall be constructed in conformity with these land development regulations; however, an applicant may

request one extension of time for a period not exceeding six months from the planning and zoning director. Any further extension of time is shall be prohibited.

(6) Landscaping requirements:

- a. A landscape plan that specifies and quantifies the proposed and/or existing plant material inclusive of mature shade trees, hedge material and ground cover shall be submitted for review and approval by the planning department.

At a minimum, the plan shall indicate a two feet six inches (2½ feet) wide, landscaped area bordering the surfaced area along all property lines. All landscaped areas shall utilize St. Augustine Grass or planted material acceptable to the planning department. A hedge that is at least 36 inches in height at the time of planting shall be installed on the entire perimeter of the lot; the side or sides of the lot that face a street or an alley shall not exceed 42 inches in height at maturity. The hedge material planted on any side of the lot that abuts the lot line of another property shall be at least 48 inches (4 feet) in height at time of planting and 60 inches (5 feet) at maturity.

- b. The areas fronting a right-of-way or an alley shall be landscaped with a grouping of three palms every 20 linear feet of frontage or one canopy tree every 25 feet of frontage.

- c. An in-ground irrigation system that covers 100 percent of the landscaped areas shall be required.

- d. All landscaping that is placed on the lot shall be maintained in good condition so as to present a healthy, neat and orderly appearance. Prior to the issuance of an occupational license for a provisional parking lot, the applicant shall submit a plan for a recurring maintenance schedule that includes, but is not limited to cleaning the lot, clipping of hedge material, removing and replacement of dead plant material, fertilization and irrigation. This maintenance plan shall be approved by the planning department.

(7) All lots considered under this article shall be reviewed pursuant to the design review process.

- ~~(6 8)~~ If the lot is not operated on a valet basis, then all parking spaces shall be marked by painted lines or curbs or other means to indicate individual spaces and wheel stops shall be provided. Vehicles shall not back out onto any street. The size of the parking spaces, back-out areas and exit/interior drives shall not have dimensions less than those required in sections 130-61 through 130-64. Lots operated on a valet basis shall have wheel stops at the edge of the parking surface. All wheel stops required in this subsection shall be placed no less than four feet away from each other.

- ~~(7) There shall be a two feet six inches wide, landscaped area bordering the surfaced area along all property lines. All landscaped areas shall utilize St.~~

~~Augustine Grass or planted material acceptable to the planning, design and historic preservation division. A 2 1/2-foot high hedge shall be placed along all property lines facing a street. Water for irrigation shall be available within 50 feet of all landscaped areas. A hose bib or an in-ground system is acceptable.~~

- (8 9) Prior to the issuance of a building permit, the planning, ~~design and historic preservation division~~ department shall approve the site ~~plan~~ and landscaping plans. Prior to the issuance of an occupational license, the division shall approve the placement of landscaping.

~~(9) Surface stormwater drainage shall be approved by the public works director.~~

- (10) The applicant for a provisional parking lot must provide a written statement from the property owner as part of the required submission for the lot, acknowledging that the owner is fully and solely responsible for eliminating any contamination resulting from lack of a drainage system on the unpaved lot and indemnifying and holding the city harmless from loss or damage arising from any contamination on the lot, in a form approved by the city attorney's office.

- (11) No variances shall be granted from the requirements of this section.

- (12) At the time the provisional parking lot ceases to exist, all crushed rock material shall be removed within 30 days and replaced with sod and/or landscaping as determined acceptable by the planning, design and historic preservation division. This provision shall not apply to existing lots where crushed rock was legally in place at the time of the passage of these land development regulations.

SECTION 3. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.


PASSED and **ADOPTED** this _____ day of _____, 2005.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

 1-4-05

City Attorney Date

First Reading:
Second Reading:

Verified by: _____
Jorge G. Gomez, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARINGS



NOTICE IS HEREBY given that public hearings will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at the times listed below to consider the following:**

at 10:15 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE, FOR THE GROUP I CLASSIFICATIONS, BEING THE CLASSIFICATIONS COVERED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL NO. 1554, IN ACCORDANCE WITH THE NEGOTIATED AGREEMENT; RETROACTIVELY INCREASING ON THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004, THE MINIMUM OF THE RANGES BY THREE PERCENT (3%) AND THE MAXIMUM OF THE RANGES BY THREE PERCENT (3%); INCREASING THE SALARY OF EACH EMPLOYEE BY THREE PERCENT (3%) EFFECTIVE WITH THE FIRST PAY PERIOD BEGINNING APRIL 19, 2004; BARGAINING UNIT EMPLOYEES SHALL RECEIVE AN ACROSS THE BOARD INCREASE OF THREE PERCENT (3%) WITH THE FIRST PAY PERIOD BEGINNING APRIL 18, 2005, AND A THREE PERCENT (3%) INCREASE TO THE MINIMUM AND MAXIMUM OF THE RANGES; AND AN ACROSS THE BOARD INCREASE OF THREE AND ONE HALF PERCENT (3.5%) WITH THE FIRST PAY PERIOD BEGINNING MAY 1, 2006, AND A THREE AND ONE HALF PERCENT (3.5%) INCREASE TO THE MINIMUM AND THE MAXIMUM OF THE RANGES; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATE.

at 10:16 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 16 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

at 10:17 a.m.:

AN ORDINANCE AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS OF SECTION 14 FOR DONATION OF ANNUAL LEAVE AND SICK LEAVE; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Inquiries may be directed to Human Resources at (305)673-7524.

at 10:18 a.m.:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-262 TO AMEND THE REQUIREMENTS FOR FILING AN APPEAL TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

at 10:20 a.m.:

TO CONSIDER AN AMENDMENT TO THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, CHAPTER 130 "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY AMENDING SECTION 130-70 "TEMPORARY PARKING LOT STANDARDS," AND SECTION 130-71 "PROVISIONAL PARKING LOT STANDARDS" BY CLARIFYING EXISTING REGULATIONS, PROHIBITING PROVISIONAL LOTS IN THE R-PSI THROUGH 3 RESIDENTIAL PERFORMANCE STANDARDS ZONING DISTRICTS, AND MODIFYING LANDSCAPING STANDARDS.

Inquiries may be directed to the Planning Department at (305)673-7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218(TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0293

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

An Ordinance of the Mayor and City Commission of the City of Miami Beach, Florida, amending Section 82, Division 3 of the City Code entitled "Newsracks".

Issue:

Shall the City Commission amend the City Code regulating the permitting, installation and maintenance of newsracks?

Item Summary/Recommendation:

The City of Miami Beach has experienced a period of explosive growth in the number of permitted and unpermitted newsracks which fosters these conditions. The current ordinance does not allow for timely enforcement, detailed installation requirements or a fee structure sufficient to support administration of the program.

The Public Works Department has been working for many months, in committee, with citizens, staff and the publishing industry, to revise the existing ordinance. Eight committee meetings and two meetings with all the publishers doing business in Miami Beach were held to develop and discuss the proposed ordinance revisions. Special efforts were made to keep all concerned aware of what was occurring. In the end, consensus was reached on the revisions to the ordinance. Significant changes such as density, color, placement and fees were discussed by the Neighborhood/Community Affairs Committee on September 29, 2004 and again on November 3, 2004.

The Administration recommends approval of the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting of February 2, 2004 to amend the permitting, density standards, fees, placement, authority to remove, timelines for notification of violations, and installation standards for newsracks.

Advisory Board Recommendation:

N/A

Financial Information:**Amount to be expended:**

Source of Funds:

	Amount	Account	Approved
1			
2			
3			
4			
Total			

City Clerk's Office Legislative Tracking:

Bob Halfhill, Public Works, 6833

Sign-Offs:

Department Director	Assistant City Manager	City Manager
FHB		

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AGENDA ITEM RSF

DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 82, DIVISION 3, OF THE CITY CODE ENTITLED "NEWSRACKS"; AMENDING SECTION 82-176 ENTITLED "DEFINITIONS" BY ADDING AND AMENDING CERTAIN DEFINITIONS; AMENDING SECTION 82-201 ENTITLED "NOTICE OF VIOLATION REQUEST FOR HEARING" BY REDUCING THE TIME REQUIRED FOR NOTIFICATION AND AMENDING THE METHOD OF NOTIFICATION; AMENDING SECTION 82-202 ENTITLED "REMOVAL AND STORAGE OF NEWSRACKS" REDUCING THE TIME REQUIRED FOR NOTIFICATION AND TIME ALLOWED TO REQUEST A HEARING; AMENDING SECTION 82-204 ENTITLED "RELEASE OF STORED NEWSRACKS, STORAGE FEE, INSPECTION FEE" BY AMENDING THE PROVISIONS FOR RETURN OF STORED NEWSRACKS, AND AMENDING STORAGE FEES AND REINSPECTION FEES; AMENDING SECTION 82-205 ENTITLED "UNCLAIMED NEWSRACKS" BY REDUCING THE STORAGE TIME REQUIRED PRIOR TO DISPOSING OF UNCLAIMED NEWSRACKS; AMENDING SECTION 82-206 ENTITLED "ABANDONED NEWSRACKS" AMENDING THE CRITERIA FOR ABANDONED NEWSRACKS AND REDUCING THE TIME REQUIRED TO REMOVE ABANDONED NEWSRACKS FROM THE RIGHT-OF-WAY; AMENDING SECTION 82-231 ENTITLED "FEE LETTER OF COMPLIANCE REQUIRED" MODIFYING THE PROCEDURES AND FEES FOR REGISTERING NEWSRACKS; AMENDING SECTION 82-256 ENTITLED "MAINTENANCE AND INSTALLATION STANDARDS" BY AMENDING RESTRICTIONS ON THE TYPE, SIZE, AND APPEARANCE OF NEWSRACKS AND NEWSRACK STORAGE BOXES AND SPECIFICATIONS FOR INSTALLING NEWSRACKS ON THE RIGHT OF WAY; AMENDING SECTION 82-257 ENTITLED "PLACEMENT OF NEWSRACKS" BY AMENDING RESTRICTIONS ON THE LOCATION OF NEWSRACKS; PROVIDING FOR CODIFICATION; SEVERABILITY; REPEALING ALL ORDINANCE IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

ADMINISTRATION RECOMMENDATION:

Approve the Ordinance on first reading and schedule a second reading and public hearing for the Commission Meeting on February 2, 2005 to amend the permitting, density standards, fees, placement, authority to remove, timelines for notification of violations and installation standards for newsracks.

BACKGROUND:

The publishing industry is an important industry to the City. It can provide a great benefit or, if not regulated properly, create a multitude of problems such as obstruction

of pedestrian walkways, inconsistent appearance, abandoned and/or excessive newsracks, as well as unsecured newsracks. The City of Miami Beach has experienced a period of explosive growth in the number of permitted and un-permitted newsracks which fosters these conditions. The current ordinance does not allow for timely enforcement, detailed installation requirements or a fee structure sufficient to support administration of the program.

The Public Works Department has been working for many months, in committee, with City staff, citizens and representatives of the publishing industry, to revise the existing ordinance. The newsrack committee experienced an ever changing membership and attendance, but usually consisted of at least four representatives of the publishing industry, at least two citizens, and City staff. Members of the publishing industry and City staff with experience and expertise were invited to attend to discuss specific aspects of the ordinance. At each of the meetings, significant discussion between staff and the participants occurred. The meetings resulted in a number of changes to the original version of the ordinance to address the various concerns raised by the industry and other participants and the end document is one which each of the parties finds acceptable.

The newsrack committee met eight times during the development of the ordinance revision. These meetings addressed each section of the existing newsrack ordinance and whether it should remain unchanged or revised. All publishers with newsracks registered with the City were invited to a meeting in May 2004 to discuss the proposed revisions to the ordinance. A second meeting was held in August 2004 with all of the publishers to discuss further the revisions and to address the option of installing modular newsracks. This was discussed at length, with a presentation by Clear Channel Communications. The paid daily newspapers objected to the modular concept with concerns over maintenance and availability.

The newsrack committee is in agreement to the revisions being proposed. These revisions include:

- Improved Definitions
- Improved Enforcement
- Defined Placement and Location Standards
- Increased Fees
- Defined Newspaper rack Standard including color
- Defined Installation Standards

The draft ordinance was discussed at the September 29, 2004 meeting of the Neighborhood/Community Affairs Committee, and at a follow-up meeting on November 3, 2004. Significant amendments to the ordinance such as fees, removal authority, density and standardization were discussed. The publishing industry representatives voiced their concerns with the modular newsrack concept and expressed their support for the ordinance revisions. The Neighborhood/Community Affairs Committee recommended removing the option for modular newsracks from the ordinance revision, but retained the option to reconsider modular newsracks in the future.

The primary points agreed upon by the Neighborhood/Community Affairs Committee were:

Density: Maximum of 7 newsracks (12 linear feet) at any location. The Public Works Department will inspect each location to determine the appropriate number in accordance with the ordinance criteria.

Intersections will be limited to 7 newsracks on two opposing diagonal corners. Locations with newsracks that exceed the maximum number allowed will be reduced based upon date of existing permit and in coordination with the publishers.

The placement of newsracks will not interfere with, or impede the flow of vehicular or pedestrian traffic and in no event will be placed where the clear space for passageway of pedestrians is reduced thereby to less than three feet.

Installation: All newsracks will be bolted to the surface. The Public Works Department will inspect each permitted location for proper installation.

Color: All newsracks will be painted a uniform green matching the existing street furniture.

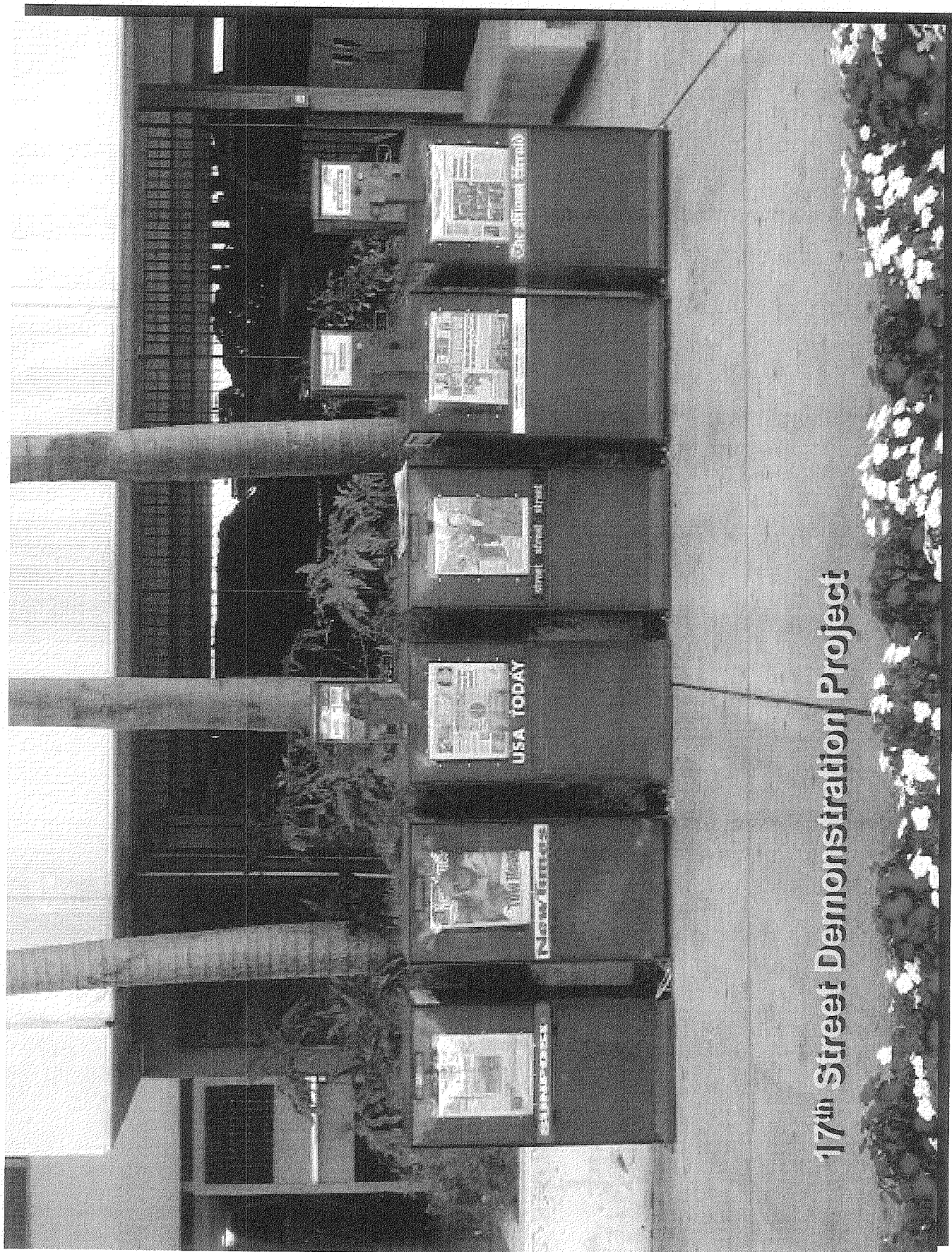
Fees: The following fees are proposed.

	<u>Existing</u>	<u>Proposed</u>
A one time registration fee	\$50.00	\$75.00
Permit application fee per newsrack	\$15.00	\$35.00
Annual permit renewal fee per newsrack	-----	\$35.00
Inspection fee for any location change	\$25.00	\$25.00
Newsrack removal fee	\$50.00	\$50.00
Daily storage fee for removed newsrack	\$5.00	\$5.00
Re-inspection Fee for newsracks in violation	\$10.00	\$25.00

Enforcement (Days Required)

	<u>Existing</u>	<u>Proposed</u>
Advisory Notice	15	N/A
Notice of Violation	15	7
Abandoned Newsrack	15	10
Storage Requirement before disposal	90	60

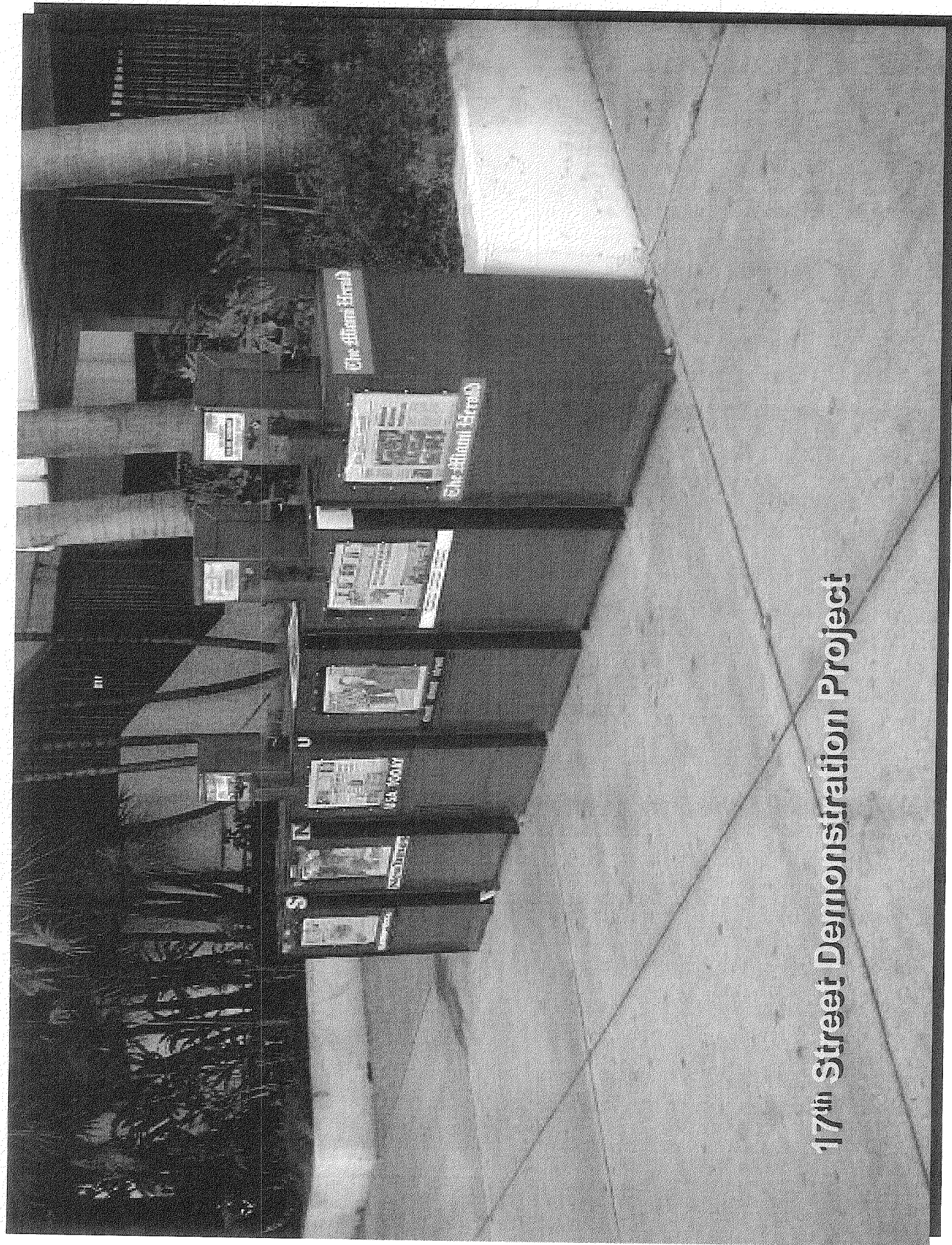
The Administration recommends approving this ordinance revision on first reading, and schedule a second reading and public hearing for the Commission Meeting on February 2, 2005. The publishing industry is an important industry to the City. Their participation in revising this ordinance has resulted in a proposed revision that can be enforced to the benefit of the City as well as the industry.



17th Street Demonstration Project



17th Street Demonstration Project



17th Street Demonstration Project

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 82, DIVISION 3, OF THE CITY CODE ENTITLED "NEWSRACKS"; AMENDING SECTION 82-176 ENTITLED "DEFINITIONS" BY ADDING AND AMENDING CERTAIN DEFINITIONS; AMENDING SECTION 82-201 ENTITLED "NOTICE OF VIOLATION REQUEST FOR HEARING" BY REDUCING THE TIME REQUIRED FOR NOTIFICATION AND AMENDING THE METHOD OF NOTIFICATION; AMENDING SECTION 82-202 ENTITLED "REMOVAL AND STORAGE OF NEWSRACKS" REDUCING THE TIME REQUIRED FOR NOTIFICATION AND TIME ALLOWED TO REQUEST A HEARING; AMENDING SECTION 82-204 ENTITLED "RELEASE OF STORED NEWSRACKS, STORAGE FEE, INSPECTION FEE" BY AMENDING THE PROVISIONS FOR RETURN OF STORED NEWSRACKS, AND AMENDING STORAGE FEES AND REINSPECTION FEES; AMENDING SECTION 82-205 ENTITLED "UNCLAIMED NEWSRACKS" BY REDUCING THE STORAGE TIME REQUIRED PRIOR TO DISPOSING OF UNCLAIMED NEWSRACKS; AMENDING SECTION 82-206 ENTITLED "ABANDONED NEWSRACKS" AMENDING THE CRITERIA FOR ABANDONED NEWSRACKS AND REDUCING THE TIME REQUIRED TO REMOVE ABANDONED NEWSRACKS FROM THE RIGHT-OF-WAY; AMENDING SECTION 82-231 ENTITLED "FEE LETTER OF COMPLIANCE REQUIRED" MODIFYING THE PROCEDURES AND FEES FOR REGISTERING NEWSRACKS; AMENDING SECTION 82-256 ENTITLED "MAINTENANCE AND INSTALLATION STANDARDS" BY AMENDING RESTRICTIONS ON THE TYPE, SIZE, AND APPEARANCE OF NEWSRACKS AND NEWSRACK STORAGE BOXES AND SPECIFICATIONS FOR INSTALLING NEWSRACKS ON THE RIGHT OF WAY; AMENDING SECTION 82-257 ENTITLED "PLACEMENT OF NEWSRACKS" BY AMENDING RESTRICTIONS ON THE LOCATION OF NEWSRACKS; PROVIDING FOR CODIFICATION; SEVERABILITY; REPEALING ALL ORDINANCE IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission recognizes the importance of a free press to our democratic society; and

WHEREAS, the City Commission also recognizes that it has the responsibility to safeguard and protect the public who use the public right-of-way, including the aged, the infirm, and the handicapped citizens of the City; and

WHEREAS, the City Commission has taken steps to assure a reasonable balance between traffic, pedestrian safety, and interests, and the interests of the distribution of newspapers; and

WHEREAS, certain amendments to the regulations pertaining to newsracks are required in order to be compliance with the aforestated effort; and

WHEREAS, the City Commission has determined that amendments to the City newsrack ordinance will cause no undue burden on the publishing industry and will promote safety on the public right-of-way, and improve the appearance and welfare of the City;

NOW THEREOF, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

That Section 82-176 of Miami Beach Code entitled, "Definitions" be amended as follows:

"Department" shall mean the Public Works Department.

"Director" shall mean the Public Works Director.

"Public rights-of-way" shall mean any dedicated or undedicated public street, highway, sidewalk, parkway or alley located in the City of Miami Beach, Florida.

Sec. 82-177. Statement of purpose

That Section 82-201 of Miami Beach City Code entitled, "Notice of Violation; request for hearing" be amended as follows:

~~Except as provided in section 82-203, Whenever the City Manager, or City Manager's designee, finds that a newsrack is in violation of this division, the City Manager, or City Manager's designee, shall mail a advisory notice~~ Notice of Violation specifying the violation to the publisher responsible for the newsrack. ~~Additionally, the City Manager, or City Manager's designee, will attempt to notify the publisher by telephone, FAX and, where possible, electronic mail (e-mail) specifying the violation.~~ The City Manager, or City Manager's designee, shall also cause a tag to be attached to the newsrack specifying the date and nature of the violation. The written notice of violation and information regarding procedures for appeal from the findings of violation shall thereafter be sent by certified mail by the City Manager, or City Manager's designee, to the registered publisher responsible for the newsrack and to any person whose name appears on the newsrack as provided in section 82-256. The publisher, or his designee, shall, within 45 7 days from the date on which the tag was attached, either cause the violation to be corrected or request a hearing pursuant to section 82-207. In the event the newsrack in violation is not registered with the city and no information is available on the newsrack that would allow contacting the publisher the City Manager, or City Manager's designee, will direct that the newsrack be removed from the location and stored in accordance with section 82-202 of this division while further attempts are made to contact the responsible publisher.

That Section 82-202 of Miami Beach City Code entitled, "Removal and storage of newsracks" be amended as follows:

- (a). Any newsracks installed, used or maintained in violation of this division may, after prior notices to the publisher as provided in section 82-185, be removed by the City Manager, or City Manager's designee, and stored in a place

convenient to the City Manager, or City Manager's designee,; except that a request for hearing pursuant to section 82-207 filed within the 15 7 day period shall stay removal pending the outcome of the hearing and any subsequent judicial review. The stay shall expire when:

- (1) A request for hearing has been withdrawn and the violations cited have not been corrected;
 - (2) A hearing has resulted in a final determination that the violation specified on the tag attached to such newsrack has in fact occurred, and the publisher has failed to correct such violation or seek judicial review of same within 30 10 days from the date of determination; or
 - (3) When all judicial review is concluded, and the determination of violation has been sustained and the publisher has failed to correct the violations in question within 30 10 days of the date of the last judicial determination.
2. Notwithstanding any other provision of this division, when any newsrack poses an imminent or immediate hazard to pedestrians, vehicles or property, the city manager or manager's designee shall attempt to give telephone notice to the publisher and afford the publisher the opportunity to remove or otherwise relocate the newsrack. Where telephone notice is not feasible or where the publisher fails to remove or relocate the newsrack following the notice, the City Manager, or City Manager's designee, may remove or relocate the newsrack immediately. The newsrack may be stored as provided in Section 82-202 of this section, and notice shall be provided to the publisher in accordance with section 82-203. A newsrack shall be deemed a hazard when its installation, use or maintenance endangers the safety of persons or property.

That Section 82-204 of Miami Beach City Code entitled, "Release of stored newsracks, storage fee; inspection fee" be amended as follows:

(a) Any newsrack, together with its contents, which has been stored pursuant to section 82-186 shall be returned to the publisher:

(1) Upon receipt by the City Manager, or City Manager's designee, of a removal fee of \$50.00 and a storage fee of \$5.00 per day paid by the publisher; or

(2) Upon filing of a request for hearing pursuant to section 82-207 accompanied by a deposit of a \$50.00 removal and storage fee to be held by the City Manager, or City Manager's designee,, which fee shall be returned to the publisher upon a determination by the special master after a hearing pursuant to section 82-190 or by a court upon judicial review that the newsrack should not have been removed.

(3) The City Manager, or City Manager's designee, shall re-inspect the corrected condition of any newsrack reinstalled after release under this section. The publisher shall pay an inspection fee of ~~\$40.00~~ \$25.00 for the re-inspection, except that no inspection fee shall be imposed for any newsrack reinstalled pursuant to subsection (a)(2) of this section where the special master or a court has determined that the newsrack should not have been removed.

That Section 82-205 of Miami Beach City Code entitled, "Unclaimed newsracks" be amended as follows:

When a newsrack stored pursuant to section 82-186 has not been claimed by its publisher pursuant to section 82-188 within ~~90~~ 60 days of the date of storage and when no hearing has been requested by the publisher pursuant to section 82-201, the newsrack shall be regarded as unclaimed property in the hands of the city and may be disposed of as provided by law.

That Section 82-206 of Miami Beach City Code entitled, "Abandoned newsracks" be amended as follows:

A newsrack shall be deemed abandoned when it does not contain the publication specified therefore within 48 hours after release of the current issue or when no publication is in the newsrack for more than seven consecutive days. When any newsrack has been abandoned on public property in the city, the City Manager, or City Manager's designee, shall attempt to notify the publisher by certified mail and by telephone and afford the publisher the opportunity to remove the newsrack, to resume distribution, or to show reasonable cause therefore. Where the publisher is unknown or where the publisher has failed to resume distribution, remove the newsrack or show reasonable cause therefore within ~~45~~ 7 days of receipt of certified notice, the City Manager, or City Manager's designee, may remove and store the newsrack as provided by section 82-202. The publisher, if identifiable, shall receive notice of removal and storage as provided in section 82-203 and may regain possession of the newsrack pursuant to section 82-204. If a newsrack removed and stored pursuant to this section is not claimed within ~~90~~ 60 days of the date of storage, the City Manager, or City Manager's designee, ~~may request a hearing pursuant to section 82-207 for the purpose of demonstrating that the newsrack was abandoned on public property. Upon determination by the special master or a court upon judicial review, if any, that the newsrack has been abandoned on public property, the City Manager, or City Manager's designee, may dispose of the newsrack as provided in Section 82-205.~~

That Section 82-207 of Miami Beach City Code entitled, "Hearings" be amended as follows:

(d) *Decision after hearing.* At the conclusion of the hearing, the special master shall determine, from the facts adduced at the hearing, whether the newsrack should have been tagged and/or stored, and whether the publisher of the newsrack shall be required to pay the removal, storage and inspection fees as specified in section 82-204 ~~and appendix A.~~ The decision of the special master shall be in writing and shall contain findings of fact, a determination of the issues presented, and an order specifying whether the removal and storage fee and inspection fee are to be imposed.

Sec. 82-208. Appellate procedure after hearings.

Sec. 82-209. Authority of the city manager or city manager's designee to promulgate rules and regulations

Subdivision III Registration

That Section 82-231 of Miami Beach City Code entitled, "Fee, letter of compliance required." be amended as follows:

Sec. 82-231. ~~Fee, letter of compliance required.~~ Permit, Fee Application required.

- (3) The following fees shall apply to newsracks:
- (a) A one-time ~~permit~~ registration fee of ~~\$50.00~~ \$75.00 shall be required for each newspaper publisher to defray costs of administering this division.
 - (b) An additional ~~non-reoccurring~~ annual fee of ~~\$15.00~~ \$35.00 per newsrack is to be paid by the publisher at the time of the initial registration application and at the time of annual renewal of that particular newsrack to defray costs of inspection of the newsrack.
 - (c) A change in location of any newsrack during outside of the annual registration period may be made so long as the publisher obtains prior approval of the new location from the City Manager, or City Manager's designee, and the change does not result in a violation of this division; there shall be a \$25.00 re-inspection fee per newsrack for any location change. Forms for registering a change in location of any newsrack shall be furnished upon the publisher's request by the City Manager, or City Manager's designee.
 - (d) Denial of permit. If a permit for the newsrack location applied for is denied, the publisher shall be notified within 3 working days of the city's denial. The applicant may apply for an alternative location within 30 days of a denial at no additional permit fee.
 - (e) Additional permits. If at any time after initial application for a permit, a publisher wishes to install additional Newsracks, then subsections (a), (b) and (c) are to be repeated in accordance with the provisions of this article. Additional permit fees shall be in accordance with subsection (d).
 - (g) Appeals. Any publisher who has been denied a permit pursuant to the provisions of this article may appeal by filing a written request to the Director. The Publisher will be notified within 30 calendar days of the Director's decision.

Sec. 82-232. Indemnification

Sec. 82-233. Application of division.

Sec. 82-234. No criminal sanctions.

That Section 82-256 of Miami Beach City Code entitled, "Maintenance and installation standards." be amended as follows:

Each newsrack installed, used or maintained in a public right-of-way within the city shall comply with the following standards:

(1) *Dimensions and type.* Newsracks shall be 36 inches in height, with an additional 13 inches allowed for a coin-box attachment, 20 inches in width, and 20 inches in depth. The dimensions of any newspaper storage box shall not exceed 36 inches in height, 20 inches in width, and 20 inches in depth.

(2) *Label.* Newsracks shall carry no card holders or advertising, but may display the name, with lettering and background of any colors, of the newspaper being dispensed.

~~(3) *Weight.* The total weight of the newsrack and any weighing device shall not be less than 125 pounds. In the event of the issuance of a hurricane warning by any entity with jurisdiction to issue such a warning, the newsrack shall be removed by the publisher or laid down and secured to a non-movable fixture or structure.~~

(4) *Condition.* Each newsrack shall be maintained in good repair and reasonably neat and clean condition at all times. The newsrack shall conform to the following standards:

a. The newsrack shall be constructed of galvanized steel with corrosive resistant hardware and door assembly. Manufacturer's modifications to the door, window and cabinetry for the above-described newsracks to accommodate vertically formatted, "tabloid type" newspaper displays and distribution are acceptable. The shape of all newsracks shall be hexahedron/rectangular. No pedestal newsracks will be allowed.

b. The color of the entire newsrack including coin box and mounting hardware shall be painted a dark green with a powder finish consistent with the paint sample provide by the Public Works Department.

c. Newsracks shall carry no card holders or advertising, but a cling-on sticker or equivalent may be placed within a four-inch square area of the inside lower left hand corner of the clear plastic viewing panel of the access door the purpose of promoting particular features or offerings inside the current publication. Said sticker shall be applied only during the period of time that is relevant to the current publication distribution and it shall be the responsibility of the publisher to remove said sticker when no longer applicable. Furthermore, newsracks may display the name, with lettering of any color, of the newspaper being dispensed, in spaces the locations and sizes set forth below:

(1) On the front and back of the newsrack, the lettering size shall not exceed four inches in height. The lettering shall be placed within a clear or colored-band space not exceeding two and one-half inches in height above the door hinge.

(2) On the back of the newsrack, the lettering shall be placed one inch from the top of the newsrack.

D. Newsracks shall be reasonably free of rust and corrosion in any unpainted metal area. The plastic or glass parts thereof, if any, are unbroken and reasonably free of cracks, dents, and discoloration.

~~(e) The paper or cardboard parts thereof, if any, are reasonably free of tears, peeling or fading.~~

(e) The structural parts thereof shall not be broken or unduly misshapen.

(f) Any coin-return mechanism and other mechanical parts are in proper working order.

(5). The following standards shall be applicable to the mounting of newsracks on concrete surfaces:

(a) The base of the newsrack shall be mounted on two "L" shaped steel brackets, seven sixty-fourths inch thick. And one and quarter inch high and wide, with a depth equal to the depth of the newsrack. One hole shall be at each corner of the steel bracket or inserting of an anchor or bolt.

- (b) Each steel bracket shall be attached to the sides of the news rack base with a minimum of two metal non-corrosive anchors.
- (c) To anchor the steel bracket to the concrete surface, four, three/eighths inch diameter drop-in anchors, one and five/eighths inch minimum embedment with tops flush with the concrete surface will be used.
- (d) Four, three/eighths inch diameter galvanized anchor bolts, on-inch minimum length shall be used to secure the brackets to the concrete. The bolts shall be used to firmly secure the steel brackets to the drop-in anchors.
- (e) Steel brackets and bolt heads shall be painted to match the newsrack color and finish.
- (f) The installed newsrack shall be plumb.
- (6) The following standards shall be applicable to the mounting of newsracks on grass, dirt, gravel or like areas:
 - (a) Foundation will be of concrete minimum of four-inches deep, 2,500 PSI, 28 day strength, class I mix reinforced with welded wire mesh.
 - (b) Minimum distance from vertical side of the newsrack to the nearest concrete edge shall be three inches.
 - (c) There will be a one/half inch chamfer on all concrete edges.
 - (d) Anchor to concrete foundation will be as per paragraph 5(c) of this section.
 - (e) Concrete base installed by publisher shall become the property of the City and remain in place notwithstanding the removal of the newsrack(s) in accordance with the provisions of this division

That Section 82-257 of Miami Beach City Code entitled, "Placement of newsracks" be amended as follows:

Sec. 82.257. Placement of newsracks

- (1) Newsracks placement is generally permitted at the following locations only or at other specific locations approved the City Manager or City Manager's designee:

(a) On sidewalks. Newsracks shall be situated parallel to the edge of the sidewalk. ~~A minimum sidewalk space of three feet shall remain clear in front of the newsracks.~~ The Public Works Department will determine whether a sidewalk is wide enough to accommodate newsracks and the number of newsracks for a location with a limit of 7 newsracks (12 linear feet) allowed at any specific location.

(b) In a grass, dirt, gravel, or like area. Newsracks placed in a grass, dirt, gravel, or like area must be secured to concrete foundations, as required by this division. Notwithstanding the foregoing, newsracks may not be chained or otherwise tied to any poles, trees, etc... under any circumstances.

(c) All newsracks placed, maintained or operated within a public right-of-way in the city shall conform with the standards specified in subsections of this section.

(d) Newsracks shall only be situated at the rear of a sidewalk, near a curb, adjacent to the wall of a building, or at another location approved by the City Manager, or City Manager's designee. If a newsrack is placed near a curb, the back of the newsrack shall be situated so as not to constitute a hazard to either pedestrians or vehicles traveling the road or parking alongside of the sidewalk. If the newsrack is placed adjacent to the wall of a building, the back of the newsrack shall be situated parallel to and as close as possible to the wall. No person shall install, use or maintain any newsrack:

- (1) Within five feet of any marked or unmarked crosswalk;
- (2) Within five feet of any curb return;
- (3) Within ten feet of any fire hydrant, fire-call box or other emergency facility;
- (5) Within ten feet of any advertisement panel located on a transit shelter, except that newsracks may be located within transit shelters with the expressed written approval of the public works department;
- (6) Within three feet of utility, traffic, or street light poles, mailboxes, parking meters, or other objects legally permitted;
- (7) Within five feet of any area improved with lawn, flowers, shrubs or trees within the public rights-of-way;
- (8) Within four feet of any driveway; or

(9) Where placement unreasonably interferes with or impedes the flow of vehicular or pedestrian traffic, but in no event at any location where the clear space for the passageway of pedestrians is reduced thereby to less than three feet.

(e) No more than 5 7 newsracks (~~eight~~ twelve linear feet) may be placed at any one location; these newsracks ~~may~~ must be placed immediately adjacent to each other in a horizontal line ~~or in another configuration that does not violate any other provision of this chapter.~~ Individual newsracks or newsrack groups placed at locations other than corners shall be located mid-block and at least 60 feet from corners. Newsracks located at intersections will only be placed on two diagonally opposing corners.

(f) Notwithstanding the provisions of subsections ~~(b)-(d)~~ of this section, if the limitations on newsracks impairs the ability of a publisher to distribute a publication through newsracks to members of the public who desire to receive that publication at a particular location, and there is no alternate location available for a newsrack under this division reasonably accessible to the members of the public, the City Manager, or City Manager's designee, shall, where the public safety will not be impaired, permit that publisher to place newsracks at that location.

(g) Where a newsrack installed prior to the effective date of this division does not comply with one or more of the requirements of this section, and where the publisher responsible for that newsrack wants to retain the newsrack in the same location, the publisher may request permission to retain that location from the City Manager, or City Manager's designee. The City Manager, or City Manager's designee shall grant the publisher's request if retaining the location in question is consistent with the purpose and intent of this division and does not present a danger to persons or property. Any publisher aggrieved by the decision of the City Manager, or City Manager's designee, may appeal the decision to the special master.

(h) Notwithstanding any other section of this division, no publisher shall install, use or maintain any newsrack where its placement endangers the safety of persons or property.

Sec. 82-258. Unlawful advertising.

SECTION 2. REPEALER

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect the ____ day of _____, 2004.

PASSED and ADOPTED this ____ day of _____, 2004.

ATTEST:

MAYOR

CITY CLERK

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

M. McReith 1-7-05
City Attorney Date

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution following a duly noticed public hearing approving on first reading an amendment to Section 23.4 of the Development Agreement between the City of Miami Beach and the New World Symphony (NWS), requiring the Developer to proceed with the design and development of Zone 1, comprising the Park and Drexel Avenue between North Lincoln Lane and 17th Street and site improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed \$10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed \$1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed \$500,000, and further setting the second public hearing for second reading of the aforesaid first Addendum to the Development Agreement.

Issue:

Shall the City Commission set the Public Hearing to consider the proposed amendment to the Development Agreement between the City of Miami Beach and the NWS for the Park Project?

Item Summary/Recommendation:

Pursuant to the direction of the City Commission on September 8, 2004 and consistent with the Planning Board's August 24, 2004 recommendation that the entire two (2) blocks, including the Park, be designed as an integrated site, Gehry Partners LLP was asked to submit a proposal and cost estimate to undertake design services for the proposed Park. The proposal was submitted for review by the Finance and Citywide Projects Committee at its meeting on October 26, 2004. The Committee recommended in favor of amending the Development Agreement between the City and NWS to expand the NWS' scope to include the design and development of Zone 1, comprising the park, Drexel Avenue between North Lincoln Lane and 17th Street and site improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed \$10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed \$1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed \$500,000. Pursuant to Sections 163.3220-163.3243, Florida Statutes, before entering into, amending, or revoking a development agreement, a local government shall conduct at least two public hearings. On December 8, 2004, the Mayor and Commission discussed the proposed amendment and expressed concern in proceeding with the Park concept plan and the corresponding commitment of expenditure of funds, without ensuring NWS commitment to proceed with its project. To date, the City and the NWS have not been able to meet due to scheduling conflicts to address the City Commission concerns and negotiate an appropriate allocation of responsibilities and/or benchmarks to be achieved in order to proceed. As such, the Administration recommends opening and continuing this item to February 2, 2005.

Advisory Board Recommendation:

Planning Board – August 24, 2004 – Recommended designing NWS and park (east and west lots) as an integrated project.
Finance and Citywide Projects Committee – Oct 26, 2004 – Motion in favor of amending Development Agreement.

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; padding: 5px; width: 100px; height: 50px; margin: 0 auto;">TBD</div> Finance Dept.	1	\$11,650,000	TBD (City Center RDA)	
	2			
	3			
	4			
	Total	\$11,650,000		

City Clerk's Office Legislative Tracking:

Christina M. Cuervo, Kent O. Bonde

Sign-Offs:

Redevelopment Coordinator	Assistant City Manager	City Manager
KOB _____	CMC <u><i>CMC</i></u>	JMG <u><i>JMG</i></u>

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING APPROVING ON FIRST READING, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 – 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT," A FIRST ADDENDUM TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND THE NEW WORLD SYMPHONY, DATED JANUARY 5, 2004, FOR THE DEVELOPMENT OF A PORTION OF THE SURFACE PARKING LOT, BOUNDED BY 17TH STREET TO THE NORTH, NORTH LINCOLN LANE TO THE SOUTH, WASHINGTON AVENUE TO THE EAST AND PENNSYLVANIA AVENUE TO THE WEST, FOR CONSTRUCTION OF AN APPROXIMATELY 50,000 SQUARE FOOT EDUCATIONAL, PERFORMANCE AND INTERNET BROADCAST FACILITY WITH AN EXTERIOR SCREEN ("SOUNDSPEACE"), AND AN APPROXIMATELY 320-SPACE (+/-) PUBLIC PARKING GARAGE FACILITY; SAID ADDENDUM AMENDING THE DEVELOPMENT AGREEMENT, REQUIRING THE DEVELOPER TO PROCEED WITH THE DESIGN AND DEVELOPMENT OF ZONE 1, COMPRISING THE PARK AND DREXEL AVENUE BETWEEN NORTH LINCOLN LANE AND 17TH STREET, AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED \$10,000,000; ZONE 2, COMPRISING THE JACKIE GLEASON THEATER OF THE PERFORMING ARTS (TOPA) ENTRY LANDSCAPING AT THE OWNER'S COST AND EXPENSE, NOT TO EXCEED \$1,150,000; AND ZONE 3, COMPRISING NORTH LINCOLN LANE IMPROVEMENTS, AT OWNER'S COST AND EXPENSE, NOT TO EXCEED \$500,000; AND FURTHER SETTING THE SECOND PUBLIC HEARING FOR SECOND READING OF THE AFORESTATED FIRST ADDENDUM TO DEVELOPMENT AGREEMENT ON JANUARY 12, 2005.**

ADMINISTRATION RECOMMENDATION

Open and Continue to February 2, 2005.

ANALYSIS

On September 8, 2004, the Mayor and City Commission adopted Resolution No. 2004-25681, approving Concept Plan #4 presented by the NWS; referring the issue of the Park design to the Finance and Citywide Projects Committee; requesting the Design Review Board to do a preliminary design review and send it back to City Commission for review

and approval; and addressing the parking space issue.

By way of background, Concept Plan #4 provides for Soundspace and related support structures, including the garage, to be situated on the surface parking lot west of Drexel Avenue and for a park and function/performance space area to occupy the lot east of Drexel Avenue. The main entrance lobby and drop-off area would be on Drexel Avenue, with support and classroom space occupying the south side of the lot. The garage would be located on the west side of the lot, with entrance and egress located on Pennsylvania Avenue. In order to enhance the facility's visibility from Lincoln Road and the surrounding area, the main entrance is characterized by a 65-75ft-high architectural element. The plan also calls for Drexel Avenue to meander eastward into the Park between Lincoln Lane and 17th Street, which provides a unique opportunity to integrate Drexel Avenue into the design of Soundspace, creating a true public plaza-type feel and providing the ability to close the street during certain Park-related events. As part of Concept Plan #4, an integrated park component was incorporated in the project site.

Pursuant to the direction of the City Commission on September 8, 2004 and consistent with the Planning Board's August 24, 2004 recommendation that the entire two (2) blocks, including the Park, be designed as an integrated site, Gehry Partners LLP was asked to submit a proposal and cost estimate to undertake design services for the proposed Park. The proposal was submitted for review by the Finance and Citywide Projects Committee at its meeting on October 26, 2004.

It should be noted that as basis for preparing the cost estimate, a coordination meeting was held between Gehry Partners and Chen and Associates, the firm engaged by the City to undertake the City Center right-of-way (ROW) improvement program. The purpose of the meeting was to define the respective firms' scope of work relative to those street improvements immediately surrounding the 17th Street Surface lots. For the purpose of this discussion, Gehry Partners developed a site plan, dividing the site and the immediate area surrounding the site into a series of seven zones, in order to come up with add-alternate pricing for the City's consideration. A site map reflecting these zones is included in the attached cost proposal. The proposal comprises add-alternate pricing for Zone 1, comprising the east surface lot and Drexel Avenue; Zone 2, comprising the area adjacent to TOPA; and Zone 3, encompassing Lincoln Lane. The areas in Zones 4 through 7, either fall under Chen & Associates' scope of work, or shall be decided upon as part of Chen's internal visioning/planning process, to be completed in January, 2005.

The total cost for Zone 1, comprising the park, Drexel Avenue and improvements adjacent to the new garage, has been estimated at \$10 Million in 2008 dollars. It is important to note that this number represents a "build-to" number rather than a set cost for the entire Project.

Zone 2, comprising the TOPA entry landscaping has been estimated a \$1,150,000 and Zone 3, comprising Lincoln Lane improvements, at \$500,000.

During the Finance and Citywide Projects Committee meeting, Commissioner Gross emphasized the importance of enhancing the connection between Convention Center Drive and Lincoln Road via Pennsylvania Avenue.

The City Manager emphasized the fact that even though Gehry Partners was engaged by the NWS, the City will retain discretion over the design of the Project. Furthermore, the NWS has committed to using a Basis of Design (BODR) process, to include community design workshops in developing its plans for the Project, and requiring City Commission approval of the final Park Project Design.

The Committee recommended in favor of amending the Development Agreement between the City and NWS to expand the NWS' scope to include the design and development of the Zone 1, comprising the park, Drexel Avenue between North Lincoln Lane and 17th Street and improvements adjacent to the new garage, at the Owner's cost and expense, not to exceed \$10,000,000; Zone 2, comprising the Theater of the Performing Arts entry landscaping at the Owner's cost and expense, not to exceed \$1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the Owner's cost and expense, not to exceed \$500,000. Pursuant to Sections 163.3220-163.3243, Florida Statutes, before entering into, amending, or revoking a development agreement, a local government shall conduct at least two public hearings.

On December 8, 2004, the Mayor and Commission held a duly noticed public hearing to consider on first reading, a First Addendum to the Development Agreement relative to the City and NWS' respective responsibilities regarding the design and construction of the Park Project. At such time, the Mayor and City Commission discussed the proposed first addendum and expressed concerns with proceeding with the Park Project and the corresponding commitment of expenditure of funds, without ensuring NWS commitment to proceed with its Soundspace project.

To date, the City and the NWS have not been able to meet due to scheduling conflicts to address the City Commission's concerns and negotiate an appropriate allocation of responsibilities and/or benchmarks to be achieved in order to proceed. As such, the Administration recommends opening and continuing approval of the proposed amendment at today's public hearing to February 2, 2005.


JMG/CMC/KOB

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CITY OF MIAMI BEACH NOTICE OF A PUBLIC HEARING



NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at 5:00 p.m.**, to consider a First Addendum to the Development Agreement between the City of Miami Beach and the New World Symphony, dated January 5, 2004, for the development of a portion of the surface parking lot, bounded by 17th Street to the North, North Lincoln Lane to the South, Washington Avenue to the East and Pennsylvania Avenue to the West, for construction of an approximately 50,000 square foot educational, performance and internet broadcast facility with an exterior screen ("Soundspace"), and an approximately 320-space (+/-) public parking garage facility; said Addendum specifically amending the Development Agreement, and authorizing the Developer to proceed with the design and development of the Park Project comprising of: Zone 1, comprising the Park and Drexel Avenue between North Lincoln Lane and 17th Street, at the City's cost and expense, not to exceed \$10,000,000; Zone 2, comprising the Jackie Gleason Theater of the Performing Arts (TOPA) entry landscaping at the City's cost and expense, not to exceed \$1,150,000; and Zone 3, comprising North Lincoln Lane improvements, at the City's cost and expense, not to exceed \$500,000.

Inquiries may be directed to the Economic Development at (305)673-7193.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0296

WEDNESDAY, DECEMBER 29, 2004 | 5B

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

In accordance with the requirements of Sections 163.3220 - 163.3243, Florida Statutes, also referred to as the "Florida Local Government Development Agreement Act", it is recommended that the Mayor and City Commission approve at the first of two duly noticed Public Hearings, a Development Agreement between the City of Miami Beach and AR&J Sobe, LLC (a/k/a Potamkin/Berkowitz) for the Development of the Project, presently referred to as "5th and Alton", containing approximately 179,000 square feet of retail area, a supermarket and an approximate 1070 space parking garage and park-n-ride transit facility, including an intermodal/transportation component, an integrated parking garage, vertical transportation, ramps, ventilation, etc., and surrounding streetscape and public infrastructure to serve the project, bounded by Lenox Avenue on the East, Alton Road on the West, 6th Street on the North and 5th Street on the South, in Miami Beach and further setting the second and final public hearing for approval of the Development Agreement; and further setting a public hearing at a date and time concurrent with the second and final reading of the aforesaid Development Agreement, A Public Hearing, as required pursuant to the City's Guidelines For The Vacation Of Public Right Of Ways, to hear public comment concerning the vacation of the adjacent public alley located between Alton Road and Lenox Ave., and containing approximately 7,800 square feet of land, for incorporation into the proposed project.

Issue:

Shall the Mayor and City Commission approve the Development Agreement and set the second and final public hearing?

Item Summary/Recommendation:

Concurrent with the negotiations, the Potamkin/Berkowitz group has received approval to implement a signage overlay district to permit effective signage for the Supermarket and for the retail tenants within the Project and the project has also received DRB/HP approval. While support for the Project is generally widespread, comments have been made concerning the economic viability of the parking operation and ingress/egress challenges to the site. The parties will continue to seek further community outreach with area businesses/residents as part of the FTA Environmental Assessment process.

Concurrent actions required to finalize a Development Agreement include negotiation of a:

- Declaration of Condominium (the "Declaration") that will govern the parties and the operation and management of the public garage within the project.
- Application for Vacation of Alley.

Subject to these conditions, the Administration recommends opening and continuing the first Public Hearing to approve the Development Agreement on First Reading to February 2, 2005. The Second Public Hearing will include the City Commission's consideration of the Declaration and Vacation of Alley.

Advisory Board Recommendation:

Finance & Citywide Projects Committee – December 22, 2003 and October 26, 2004

Transportation and Parking Committee – February 2, 2004, March 1, 2004, September 27, 2004

Design Review Board & Historic Preservation Board – August 17, 2004

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 40px; margin: 0 auto;"></div> Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Christina M. Cuervo

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	<i>CME</i>	<i>Jang</i>

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AGENDA ITEM

B7B

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT", APPROVING, ON FIRST READING, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND AR&J SOBE, LLC (a/k/a POTAMKIN/BERKOWITZ) FOR THE DEVELOPMENT OF THE PROJECT, PRESENTLY REFERRED TO AS "5TH AND ALTON", CONTAINING APPROXIMATELY 179,000 SQUARE FEET OF RETAIL AREA; A SUPERMARKET; AN APPROXIMATELY 1070 SPACE PARKING GARAGE; PARK-AND-RIDE TRANSIT FACILITY, INCLUDING AN INTERMODAL/TRANSPORTATION COMPONENT; AND SURROUNDING STREETScape AND PUBLIC INFRASTRUCTURE TO SERVE THE PROJECT, BOUNDED BY LENOX AVENUE ON THE EAST, ALTON ROAD ON THE WEST, 6th STREET ON THE NORTH AND 5th STREET ON THE SOUTH, IN MIAMI BEACH; FURTHER SETTING THE SECOND PUBLIC HEARING FOR THE SECOND AND FINAL READING OF THE DEVELOPMENT AGREEMENT; AND FURTHER SETTING FOR A TIME AND DATE CONCURRENT WITH THE SECOND AND FINAL READING OF THE AFORESTATED DEVELOPMENT AGREEMENT, A PUBLIC HEARING, AS REQUIRED PURSUANT TO THE CITY'S GUIDELINES FOR THE VACATION OF PUBLIC RIGHT OF WAYS AND CHAPTER 82, ARTICLE II, SECTIONS 82-37 THROUGH 82-38 OF THE MIAMI BEACH CITY CODE, TO HEAR PUBLIC COMMENT CONCERNING THE VACATION OF AN ADJACENT PUBLIC ALLEY, GENERALLY LOCATED BETWEEN ALTON ROAD AND LENOX AVENUE, AND CONTAINING APPROXIMATELY 7,800 SQUARE FEET OF LAND, FOR INCORPORATION INTO THE PROPOSED PROJECT.**

RECOMMENDATION

Open and Continue to February 2, 2005.

ANALYSIS

On June 7, 2000, the Mayor and City Commission adopted Resolution No. 2000-23963 designating the area bounded by 6th Street to the North, 5th Street to the South, Alton Road to the West and Lenox Avenue to the East, as a Brownfield area to promote the

environmental restoration and economic redevelopment of the area.

Since July 2002, the Administration has been meeting with representatives of the site generally located on 5th Street and Alton Road, owned by the Potamkin family, to address a joint development opportunity and to review a preliminary site plan for a five (5) level mixed-use retail complex, including over 900 parking spaces and a supermarket. In accordance with the City Commission's directive and the community's identified needs, the City's interest in the project development was primarily focused on achieving the public benefit of locating a supermarket, exploring transit and excess parking opportunities, and developing a gateway project at one of the City's main arterial entryways.

Over the past two (2) years, the proposed project has been reviewed on several occasions by various City Committees including Finance & Citywide Projects Committee, Transportation and Parking Committee, Design Review Board and Historic Preservation Board. With the recommendations from these meetings, the parties have reached agreement on a majority of the substantive terms and conditions that would govern the City's joint participation, including the identification of Federal Transit Administration (FTA) funding, as the primary source, for the City's capital contribution to the project.

On April 5, 2004, the Developer and its project team and City staff met with the FTA in Atlanta to review FTA funding requirements. The FTA expressed favorable comments in its initial review of the project and indicated the City would need to place emphasis on the transit elements of the project, focusing on their location, cost and use, and transit user profiles to determine the project's eligibility for FTA funding.

In addition, as reported in May 2004 to the City Commission, the City and Developer have continued to address other issues including: Floor Area Ratio (FAR), Alley Vacation, Park and Ride Transit Facility components, Art in Public Places, Planning Board – Conditional Use, FTA funding eligibility and rising construction costs.

As part of the ongoing negotiations, many areas of uncertainty continued to arise affecting the success of the negotiations; namely, (1) the FTA requirements and pending approval by FTA and (2) the rising cost of construction, and its impact on the City's contribution to the project. These issues were discussed by the Finance Committee on October 26, 2004 and resolved as set forth below:

1) FTA

To address the FTA issues, it was deemed to be in the parties' mutual best interest to commence and conduct the required FTA Environmental Assessment (EA) and evaluate the ability to apply for additional funding through FTA's competitive grant application process. Thereby, the City would proceed in obtaining approval and assurance that the project qualifies as an FTA eligible funded project and seek to maximize the grant funding available for the City's improvements, since FTA regulations will apply to the public portion of the project, at a minimum.

On May 24, 2004 the City Mayor and Commission passed Resolution No. 2004-25574 to establish an RFQ for the professional architectural and engineering services related to the

preparation of the Environmental Assessment report, as required by the Federal Transit Administration.

RFQ 38-03/04 was issued on July 30, 2004. A Pre-RFQ Submission Conference was held on August 17, 2004 and the Evaluation Committee will be meeting October 26, 2004.

Since the outcome of the FTA funding eligibility will not be confirmed until sometime in the future, the Developer is facing timing constraints to determine whether or not to proceed with the City, or independently, in the proposed joint venture. The Finance Committee recommended the City would commit to proceed with the project irrespective of FTA funding eligibility. In other words, if FTA deems the project is not wholly or in part eligible, the City will be committing non FTA funding, preferably South Pointe RDA funds, in order to guarantee the City's participation in the project from the onset.

2) CONSTRUCTION COST ESTIMATES

As to the rising cost of construction, on August 25, 2004 and September 14, 2004, the Developer submitted a take-off analysis of the estimated construction cost of the parking component of the proposed project, which was prepared by the Developer's consultant Moss and Associates. The Developer also conducted an area analysis and calculated a percentage cost per square foot, which yielded a higher value for the garage. The Developer's analysis reflected a revised construction cost estimate of \$20,741/per space (based on percentage allocation) and \$18,025/per space based on the Moss Take-off analysis.

The City had previously negotiated a \$14,500/per space cost contribution to the project, which represented a \$7,250,000 capital contribution based on 500 spaces. The new cost estimates submitted by the Developer represent an over 24-43% increase in the City anticipated contribution to the project.

As a result, these findings were reported informally to the Finance Committee on September 15, 2004 and the Committee concurred with the Administration's recommendation to engage the City's own consultant to review and analyze the newly submitted construction costs estimates.

The City engaged URS to review and perform an independent analysis of the Moss and Associates Take-off analysis and of the construction costs submitted. As a result, URS submitted revised construction cost estimates and reallocations, as deemed necessary, and URS determined the per space cost, without any alteration to the proposed project design, would be approximately \$16,262/per space.

On October 15, 2004, the City and the Developer met to review the revised construction cost estimates and URS' findings. At this meeting, the parties agreed that based on URS' revised estimate of \$16,262/per space and the increased number of spaces in the project (i.e. 1070 total spaces; City allocation is 50%, or 535 spaces), the City's capital contribution to the project would be as follows:

535 spaces @ \$16,262/per space	\$8,700,170
Additional Transit Components (elevator pit and shaft to Alton Road and Bus Stop)	395,327
Lost Value (due to City requested set back on Alton representing loss of 1,000sf)	<u>333,333</u>
TOTAL	\$9,428,830
 Developer Request	 \$9,500,000

The Finance Committee discussed the reality of rising construction costs and felt it was appropriate to modify the City's capital cost contribution accordingly, due to the Developer's guarantee to assume any construction cost overruns. The rise in costs is mitigated by the Developer's guarantee to assume the construction risk associated with any future cost increases or construction change orders not dictated by the City and/or any FTA requirement.

Based on the revised construction cost estimates and Developer guarantee, the Finance Committee recommended committing to the revised City capital contribution to the project of \$9,500,000 as cited above.

Concurrent with the negotiations, the Potamkin/Berkowitz group has received approval to implement a signage overlay district to permit effective signage for the Supermarket and for the retail tenants within the Project and the project has also received DRB/HP approval.

While support for the Project is generally widespread, at both the Transportation and Parking and Finance and Citywide Projects Committee, the public raised some concerns on the economic viability of the parking operation and ingress/egress challenges to the site. The parties will continue to seek further community outreach with area businesses/residents as part of the FTA Environmental Assessment process.

Concurrent actions required to finalize a Development Agreement include negotiation of a:

- Declaration of Condominium (the "Declaration") that will govern the parties and the operation and management of the public garage within the project.
- Application for Vacation of Alley.

Conclusion

In accordance with the requirements of Sections 163.3220 - 163.3243, Florida Statutes, also referred to as the Florida Local Government Development Agreement Act, it is recommended that the Mayor and City Commission approve at the first of two duly noticed Public Hearings, a Development Agreement between the City of Miami Beach and AR&J Sobe, LLC (A/K/A Potamkin/Berkowitz) for the Development of the Project, presently referred to as "5th and Alton", containing approximately 179,000 square feet of retail area, a supermarket; an approximate 1070 space parking garage; park-and-ride transit facility,

including an intermodal/transportation component, and surrounding streetscape and public infrastructure to serve the project, bounded by Lenox Avenue on East, Alton Road on West, 6th Street on North and 5th Street on the South, in Miami Beach. Further considering, on Second and Final Reading of the aforesated Development Agreement, A Public Hearing, as required pursuant to the City's Guidelines for the Vacation of Public Right Of Ways and Chapter 82, Article II, Sections 82-37 through 82-38 of The Miami Beach City Code, to hear public comment concerning vacation of the adjacent public alley generally located between Alton Road and Lenox Avenue, and containing approximately 7,800 square feet of land, for incorporation into the proposed project.

The Second Public Hearing will include the City Commission's consideration of the Declaration and Vacation of Alley.

JMG/CMC/rar

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE REQUIREMENTS OF SECTIONS 163.3220 - 163.3243, FLORIDA STATUTES, ALSO REFERRED TO AS THE "FLORIDA LOCAL GOVERNMENT DEVELOPMENT AGREEMENT ACT", APPROVING, ON FIRST READING, A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND AR&J SOBE, LLC (a/k/a POTAMKIN/BERKOWITZ) FOR THE DEVELOPMENT OF THE PROJECT, PRESENTLY REFERRED TO AS "5TH AND ALTON", CONTAINING APPROXIMATELY 179,000 SQUARE FEET OF RETAIL AREA; A SUPERMARKET; AN APPROXIMATELY 1070 SPACE PARKING GARAGE; PARK-AND-RIDE TRANSIT FACILITY, INCLUDING AN INTERMODAL/TRANSPORTATION COMPONENT; AND SURROUNDING STREETScape AND PUBLIC INFRASTRUCTURE TO SERVE THE PROJECT, BOUNDED BY LENOX AVENUE ON THE EAST, ALTON ROAD ON THE WEST, 6th STREET ON THE NORTH AND 5th STREET ON THE SOUTH, IN MIAMI BEACH; FURTHER SETTING THE SECOND PUBLIC HEARING FOR SECOND (AND FINAL) APPROVAL OF THE DEVELOPMENT AGREEMENT; AND FURTHER SETTING, FOR A TIME AND DATE CONCURRENT WITH THE SECOND AND FINAL READING OF THE AFORESTATED DEVELOPMENT AGREEMENT, A PUBLIC HEARING, AS REQUIRED PURSUANT TO THE CITY'S GUIDELINES FOR THE VACATION OF PUBLIC RIGHT OF WAYS AND CHAPTER 82, ARTICLE II, SECTIONS 82-37 THROUGH 82-38 OF THE MIAMI BEACH CITY CODE, TO HEAR PUBLIC COMMENT CONCERNING THE VACATION OF AN ADJACENT PUBLIC ALLEY, GENERALLY LOCATED BETWEEN ALTON ROAD AND LENOX AVENUE, AND CONTAINING APPROXIMATELY 7,800 SQUARE FEET OF LAND, FOR INCORPORATION INTO THE PROPOSED PROJECT.

WHEREAS, on June 7, 2000, the Mayor and City Commission adopted Resolution No. 2000-23963, designating the area bounded by 6th Street to the North, 5th Street to the South, Alton Road to the West and Lenox Avenue to the East, as a Brownfield area to promote the environmental restoration and economic redevelopment of the area; and

WHEREAS, since July 2002, the Administration has been meeting with representatives of the site, generally located on 5th Street and Alton Road, owned by the Potamkin family, to address a joint development opportunity and to review a preliminary site plan for a five (5) level mixed-use retail complex, including a public parking garage and a supermarket (the Project); and

WHEREAS, in accordance with the City Commission's directive and the community's identified needs, the City's interest in the Project's development was primarily focused on achieving the public benefit of locating a supermarket, exploring transit and excess parking opportunities, and developing a gateway project at one of the City's main arterial entryways; and

WHEREAS, over the past two (2) years, the Project has been reviewed on several occasions by various City Committees including the Finance & Citywide Projects Committee, Transportation and Parking Committee, Design Review Board and Historic Preservation Board; and

WHEREAS, having taking into consideration the recommendations from these Committees, the parties have reached agreement on a majority of the substantive terms and conditions that would govern the City's joint participation, including the identification of Federal Transit Administration (FTA) funding, as the primary source for the City's capital contribution to the Project; and

WHEREAS, on April 5, 2004, the Developer, AR&J SOBE, LLC, and its Project team and City staff met with the FTA in Atlanta to review FTA funding requirements; the FTA expressed favorable comments in its initial review of the Project and indicated the City would need to place emphasis on the transit elements of the Project, focusing on their location, cost and use, and transit user profiles to determine the Project's eligibility for FTA funding; and

WHEREAS, in addition, as reported in May 2005 to the City Commission, the City and Developer have continued to address other issues including: Floor Area Ratio (FAR), Alley Vacation, Park and Ride Transit Facility components, Art in Public Places, Planning Board – Conditional Use and rising construction costs; and

WHEREAS, as part of the ongoing negotiations, many areas of uncertainty continued to arise, affecting the ongoing Project negotiations; namely: (1) the FTA funding requirements and pending approval by FTA; and (2) the rising cost of construction, and its impact on the City's financial contribution to the Project; and

WHEREAS, these issues were discussed by the Finance Committee on October 26, 2004, and resolved as set forth below:

- FTA: Since the outcome of the FTA funding eligibility will not be confirmed until sometime in the future, the Developer is facing timing constraints to determine whether or not to proceed with the City, or independently, in the proposed Project. The Finance Committee recommended that the City commit to proceed with the Project irrespective of FTA funding eligibility. In other words, if FTA deems the project is not wholly or in part eligible, the City will be committing non FTA funding, preferably South Pointe RDA funds, in order to guarantee the City's participation in the Project from the onset;
- Construction Cost Estimates: As to the rising cost of construction, on August 25, 2004 and September 14, 2004, the Developer submitted a take-off analysis of the estimated construction cost of the parking component of the proposed Project,

which was prepared by the Developer's consultant Moss and Associates. The Developer also conducted an area analysis and calculated a percentage cost per square foot, which yielded a higher value for the garage. The Developer's analysis reflected a revised construction cost estimate of \$20,741/per space (based on percentage allocation) and \$18,025/per space based on the Moss Take-off analysis;

The City had previously negotiated a \$14,500/per space cost contribution to the project, which represented a \$7,250,000 capital contribution based on 500 spaces. The new cost estimates submitted by the Developer represent an over 24-43% increase in the City anticipated contribution to the Project;

The City engaged its Program Manager, URS, to review and perform an independent analysis of the Moss and Associates Take-off analysis (submitted by the Developer) and of the construction costs submitted. As a result, URS submitted revised construction cost estimates and reallocations, as deemed necessary, and URS determined the per space cost, without any alteration to the proposed Project design, would be approximately \$16,262/per space; and

WHEREAS, the Finance Committee discussed the reality of rising construction costs and felt it was appropriate to modify the City's capital cost contribution accordingly, due to the Developer's guarantee to assume any construction cost overruns; and

WHEREAS, the rise in costs is mitigated by the Developer's guarantee to assume the construction risk associated with any future cost increases or construction change orders not dictated by the City and/or any FTA requirement; and

WHEREAS, based on the revised construction cost estimates and Developer's assumption of the aforesaid risks, the Finance Committee recommended committing to the revised City capital contribution to the Project of \$9,500,000, as cited above; and

WHEREAS, on December 8, 2004 the Mayor and City Commission set the first public hearing to consider the aforesaid Development Agreement, on First Reading.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that in accordance with the requirements of Sections 163.3220 - 163.3243, Florida Statutes, also referred to as the Florida Local Government Development Agreement Act, the Mayor and City Commission hereby approve, at the first of two duly noticed Public Hearings, a Development Agreement between the City of Miami Beach and AR&J Sobe, LLC (A/K/A Potamkin/Berkowitz) for the development of the Project, presently referred to as "5th and Alton", containing approximately 179,000 square feet of retail area; a supermarket; an approximately 1070 space parking garage; park-and-ride transit facility, including an intermodal/transportation component; and surrounding streetscape and public infrastructure to serve the Project, bounded by Lenox Avenue on the East, Alton Road on the West, 6th Street on the North and 5th Street on the South, in Miami Beach; and further setting the second (and final) public hearing for approval of the Development Agreement; and further setting a public hearing, at a date and time concurrent with the second and final reading of the aforesaid Development Agreement, a public hearing, as required pursuant to the City's Guidelines for the Vacation of Public Right of Ways and Chapter 82, Article II, Sections 82-37 through 82-

38 Of The Miami Beach City Code, to hear public comment concerning vacation of the public alley adjacent to the property, generally located between Alton Road and Lenox Avenue, and containing approximately 7,800 square feet of land, for incorporation into the proposed Project.

PASSED AND ADOPTED this _____ day of January, 2005.

ATTEST:

CITY CLERK

MAYOR

JMG/CMC/rar

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

14 H. Williams 1-6-05
City Attorney Date
Don

Dec. 29, 2004 Page 5-B

CITY OF MIAMI BEACH NOTICE OF A PUBLIC HEARING



NOTICE IS HEREBY given that a public hearing will be held by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chambers, 3rd floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **Wednesday, January 12, 2005, at 5:10 p.m.**, to consider a proposed Development Agreement between the City of Miami Beach and AR&J SOBE, LLC (a/k/a Potamkin/Berkowitz) for the development of the project, presently referred to as "5th and Alton", containing approximately 179,000 square feet of retail area and a supermarket and an approximate 1070 space parking garage and park-n-ride transit facility, including an intermodal/transportation component, an integrated parking garage, vertical transportation, ramps ventilation, etc., and surrounding streetscape and public infrastructure to serve the project, bounded by Lenox Avenue on the east, Alton Road on the west, 6th Street on the north and 5th Street on the south.

Inquiries may be directed to the City Manager's office at (305) 673-7010.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting may be opened and continued and, under such circumstances additional legal notice would not be provided.

Robert E. Parcher,
City Clerk
City of Miami Beach

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that: if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in accessible format, sign language interpreters, information on access for persons with disabilities, and/or any accommodation to review any document or participate in any city-sponsored proceeding, please contact (305) 604-2489 (voice), (305) 673-7218 (TTY) five days in advance to initiate your request. TTY users may also call 711 (Florida Relay Service).

Ad #0295

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING FINAL PAYMENT TO THE FIRM OF SPILLIS CANDELA DMJM, IN THE AMOUNT OF \$19,335, FOR COMPLETION OF CONSULTING SERVICES ON THE BASS MUSEUM EXPANSION AND RENOVATION PROJECT, AND FURTHER APPROVING APPROPRIATION, IN THE AMOUNT OF \$19,335, FROM REDEVELOPMENT AGENCY FUNDS.

Issue:

Should the City Commission adopt the Resolution?

Item Summary/Recommendation:

On March 26, 1995, the City entered into an Agreement with the firms of Spillis Candela & Partners (SC &P) and Arata Isozaki and Associates (Isozaki) for consulting services for the Bass Museum of Art (the Project). On December 3, 1997, the City Commission approved award of a construction contract to Danville-Findorff, Inc. (DFI). Notice to Proceed was given on February 5, 1998 with a construction period of twenty months. The Project consisted of the renovation of an existing facility and the construction of a new building. The Project received substantial completion on September 2000. Final closeout and a Final Certificate of Occupancy were obtained in May 2002 and final payment Danville-Findorff, Inc. (DFI) was approved by the City Commission on May 29, 2002. Final payment to the consultant, (SC&P), was withheld due to pending issues regarding the HVAC system and the relative humidity levels in the building. As a result, the City asked its Program Manager for facilities, URS Corporation (URS), to examine the HVAC issues and recommend a solution. URS and SC&P did not recommend wholesale changes to the overall HVAC system. They also did not recommend the addition of a humidification system in view of the fact that humidity levels in the South Florida area are generally acceptable for the conditions required in an art museum. Although URS and SC&P had not recommended the installation of permanent humidifiers, the Bass Museum staff strongly recommended inclusion of the units. The cost of adding these units was estimated at about \$60,000 and it was recommended that funds be appropriated from Convention Development Tax funds. The installation of the humidifiers was completed by December 2003. Since that time the system has functioned within the parameters expected. In most instances, when humidification has been required due to outside ambient conditions, the system has functioned properly and has provided levels satisfactory to the museum staff as well as to the requirements of art collection lenders. In some instances, for very short periods of time, although these periods have been reduced, the humidity levels have not achieved the expected optimum levels. Based on the results obtained by the added humidification for the past several months the City entered into final negotiations to closeout the consulting agreement. Final payment, in the amount of \$19,335, consists of time expended while providing additional Construction Administration services during the extended period of construction until completion and closeout of the agreement with DFI. During this period SC&P continued to work with the City to finalize all issues and obtain Final C of O and Final Closeout. Because of SC&P's continuing assistance, their assumption of responsibility for the humidity levels, and their compliance with contractual obligations, staff now recommends that final payment, in the amount of \$19,335, be issued. Staff also recommends that an appropriation from City Center Redevelopment Agency funds be approved in order to make final payment. A final release will be provided to the City by SC&P holding the City harmless for any and all future liability on the project. The City will provide a similar release to SC&P.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
Finance Dept.	1	\$19,335.00	City Center RDA
	Total		

City Clerk's Office Legislative Tracking:

Jorge E. Chartran

Sign-Offs:

Department Director	Assistant City Manager	City Manager
TH	ROM CMC	

T:\AGENDA\2004\Dec0804\Consent\Spillis Candela Cover Sheet.doc

AGENDA ITEM

A7C

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING FINAL PAYMENT TO THE FIRM OF SPILLIS CANDELA DMJM, IN THE AMOUNT OF \$19,335, FOR COMPLETION OF CONSULTING SERVICES ON THE BASS MUSEUM EXPANSION AND RENOVATION PROJECT, AND FURTHER RECOMMENDING APPROPRIATION, IN THE AMOUNT OF \$19,335, FROM CITY CENTER REDEVELOPMENT AGENCY FUNDS.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

FUNDING:

Funding is available from the City Center Redevelopment Agency.

ANALYSIS:

On March 26, 1995, the City entered into an Agreement with the firms of Spillis Candela & Partners (SC &P) and Arata Isozaki and Associates (Isozaki) for architectural and engineering services for the Expansion and Renovation of the Bass Museum of Art (the Project). On December 3, 1997, the Mayor and City Commission approved award of a construction contract to Danville-Findorff, Inc. (DFI). Notice to Proceed with construction of the project was given on February 5, 1998 with construction expected to last twenty months.

The project itself consisted of two distinct building sections. The first was the existing facility, or original building, and the second was the construction of a new building. The original building portion of the project was primarily a renovation project including a new roof and replacement of the heating, ventilating, and air conditioning (HVAC) system. The new building was new construction.

Both buildings received substantial completion certification in September 2000. Final closeout of the construction contract and a Final Certificate of Occupancy were obtained in May 2002 and final payment to the contractor, Danville-Findorff, Inc. (DFI), was approved by the Mayor and City Commission on the May 29, 2002 Commission meeting. Final payment to the consultant, Spillis Candela DMJM (SC&P), was withheld due to pending issues regarding the HVAC system and the relative humidity levels within the building.

A number of different consultants reviewed the issues with the HVAC system, hired either by the contractor or the A/E consultant. Although recommendations were made and implemented, the HVAC system continued to have difficulty in maintaining strict control over the required temperature and relative humidity levels. As a result, the City asked its Program Manager for facilities, URS Corporation (URS), to examine the HVAC issues and recommend a solution.

Additionally, an independent consulting and test and balance engineering firm, GFS Consulting, Inc. (GFS), was retained by and at the cost of SC&P to assist in the evaluation of all installations as well as the design. Costs for previous corrections and evaluations were borne by SC&P and DFI under their contract responsibilities.

URS and SC&P did not recommend wholesale changes to the overall HVAC system. They also did not recommend the addition of a humidification system in view of the fact that humidity levels in the South Florida area are generally acceptable for the conditions required in an art museum. For those rare and far between periods when humidity levels may be too low, both consultants recommended having on hand portable, humidifying units, which can be utilized on a temporary basis.

The URS recommendations consisted of the installation of a new air conditioning unit at the building Loading Dock area in order to separate this space from the Art Collection Storage Room. The ductwork for the existing unit serving the Art Collection Storage Room was reconfigured to serve this room only and separated from the Loading Dock below in order to obtain better control of the humidity and temperature levels. Existing ductwork at the Loading Dock Area was modified to serve this area only and be separated from the Art Collection Room. The unit to be used was the unit furnished initially for the museum's staff offices, which was replaced by a larger unit. DFI furnished the unit. Finally, the Building Energy Management System (BMS) was re-programmed to allow the HVAC units to operate on humidity and temperature priority rather than on temperature priority as initially installed.

The City entered into an Agreement with DDC Controls to perform some of the work, namely, the modifications to the sensors, the installation of the new controls and the re-programming of the BMS. The modifications were funded by previously appropriated funds, in the amount of \$100,000, approved by the Mayor and City Commission on October 17, 2001. This work was completed by December 2001.

The balance of the modifications was subcontracted to another contractor in order to expedite the work and to facilitate closeout of the contract with DFI. This work included drywall and ceiling repairs and replacements, the installation of a floor drain at the Third Floor mechanical Room, the addition of the new A/C unit at the Loading Dock area and the necessary ductwork modifications. These modifications were also funded by the previously appropriated funds, in the amount of \$100,000, approved by the Mayor and City Commission on October 17, 2001. This work was completed by June 2002.

Although, as noted above, URS and SC&P had not recommended the installation of permanent humidifiers to the HVAC system, the Bass Museum staff strongly recommended inclusion of the units. Museum staff provided research in support of their position and presented this research to the Bass Board of Trustees. The cost of adding these units was estimated at about \$60,000 and it was recommended that funds be appropriated for this purpose. Funding was available from Convention Development Tax funds. SC&P agreed to design the system and perform Construction Administration services for this portion of the work at no charge to the City.

The installation of the humidifiers, incorporation into the building systems and the BMS, testing, and a period of observation has now been completed. Since December 2003, the system has functioned within the parameters expected. In most instances, when humidification has been required due to outside ambient conditions, the humidifying system has functioned properly and has provided the levels of humidification needed to satisfy the museum staff as well as the requirements of art collection lenders. In some instances, for very short periods of time, although these periods have been reduced, the humidity levels have not achieved the expected optimum levels.

These instances have been significantly minimized and fall within the five percent of the ideal yearly operation of the system that was always expected. SC&P and URS, as well as publications in the industry, have always maintained that absolute perfection in humidity levels is never obtainable in any HVAC system and certainly not in a system within the South Florida environment where humidity levels vary so significantly during the year.

Based on the results which have been obtained by the added humidification system and the monitoring of the levels of humidity for the past several months, which have shown the system to be functioning as expected, the City, at the request of SC&P, entered into final negotiations to closeout the consulting agreement and issue final payment. This final payment, in the amount of \$19,335, consists of time expended while providing additional Construction Administration services during the extended period of construction of the project prior to the completion of construction and the closeout of the agreement with DFI.

During this period, regardless of their existing contractual agreement and the difficulties caused by the delays by DFI in completing the construction, SC&P continued to work with the City to finalize all issues and obtain Final Certificate of Occupancy and Final Closeout. After these were obtained, the City and SC&P agreed to delay final payment on the consulting agreement until all matters regarding the HVAC system and the humidity levels were resolved. SC&P continued to assist the City in all these efforts, provided the design and the monitoring services for installation of the humidity system at no cost to the City and did not stop providing the City all the help required to make the new installations function as desired. Throughout the process they have participated in meetings, assisted with permitting, and helped with insuring that the humidifying system was installed as required, operated properly and was correctly incorporated into the building's BMS.

Because of SC&P's continuing assistance, their assumption of responsibility for the humidity levels and their HVAC design for the building, and their compliance with contractual obligations, staff now recommends that this final payment, in the amount of \$19,335, for work performed in completing the project be issued. Staff also recommends that an appropriation from City Center Redevelopment Agency funds be approved in order to make final payment. A final release will be provided to the City by SC&P holding the City harmless for any and all future liability on the project. The City will provide a similar release to SC&P. Both are customary documents issued at project closeout.

Concurrent with this recommendation, a report has been given to the Board of Trustees of the Bass Museum on December 15, 2004 and separately to the Friends of the Bass, through Board member Pedro Martinez-Fraga, Esq., on December 15, 2004 as well, with the aforementioned findings. During both meetings the City and the Friends have agreed to meet and review the historical construction timeline and the Friends historical financial performance during construction, to discuss an equitable allocation regarding the yet to be finalized Pledge Agreement for the Friends repayment of their proportionate share of the Bass expansion project.

By way of background, when the Bass expansion project was approved, the Friends agreed to contribute \$2.3 million towards the expansion project as set forth in Resolution 2000-24193. With the recurring construction delays and problems, the City held the Pledge Agreement in abeyance pending the completion of all corrective work and successful construction completion.

Therefore, together with the recommended final closeout and payment to Spillis Candela, the Administration will proceed in negotiating with the Friends of the Bass an equitable resolution to the Pledge Agreement and report back to the City Commission.

Attachments

T:\AGENDA\2005\Jan1205\Consent\Spillis Closeout Memo..dot

SpillisCandela



Peter J. Spirito, AIA
Hilario F. Candela, FAIA
Julio Grabel, AIA
Guillermo Carreras, AIA
Donald Dwore, FAIA
Dean K. Newberry, HDA
Jesús Cruz, AIA

Deborah S. Klein
Michael Kerwin, AIA
Paul Reinerman
W. Ronald Hunt, PE
Jorge Iglesias, AIA
Enrique J. Maciá, AIA
Sandy O'Neil

Los Angeles
San Francisco
Orange
Phoenix
Albuquerque
Houston
Miami
Orlando
Chicago
Columbus
New York

Washington, DC
Denver
Colorado Springs
Salt Lake City
Fort Worth
Dallas
Detroit
San Diego
Los Alamos
Richland, WA
Kuwait City

500 Douglas Entrance
North Tower, Second Floor
Coral Gables, FL 33134
T 305.444.4691
F 305.447.3580
www.scpmiami.com

September 22, 2004

City of Miami Beach
Mr. Timothy Hemstreet
Capital Improvement Projects Office Director
1700 Convention Center Drive
Miami Beach, Florida 33139

RE.: Bass Museum – Extended Construction Administration
SCDMJM Project No. 032113032.0030

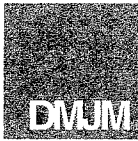
Dear Tim,

It has been quite some time since we have last spoken, and the purpose of this letter is to follow up on the status of the Bass Museum and our efforts to close out the project. We have been kept up to date on the performance of the HVAC system by your staff, and have had several conversations with the manufacturer of the humidification system regarding the installation and system performance over the last eleven months.

It is our understanding that the system has performed as designed, and has effectively introduced the extra humidity when the relative humidity levels within the gallery spaces have dropped to the low range of the design criteria. In essence, the installed HVAC system is maintaining the design criteria in an extended consistent fashion and the humidification system has improved the overall system performance.

It has now been over two years since our meeting to discuss our extended construction administration invoices, the HVAC system, and our desire to close the Contract and gain our release from the project (see attached meeting notes dated June 17, 2002). At that time, the City had not made its decision to provide the facility with a humidification system, and wanted to wait and see how the winter months and lower humidity season affected the system. As stated at the meeting, the City's position was that if the humidification system was required to better maintain the relative humidity within the design criteria, the design of the system should be included in our basic services. Spillis Candela DMJM re-iterated our concerns with indoor air quality and increased maintenance for the City, and maintained that our decision to not include the system with the original design was within industry standards for museum HVAC design in our climatic or geographic location.

Ultimately, the decision was made by the City to provide the museum facility with the humidification system, and Spillis Candela DMJM agreed to provide professional services to accomplish the design and installation of the system. It was our clear understanding that this would be a necessary step towards our goal of closing out the project and gaining our release from the Contract. After notifying the City of the possible less than optimal performance of the humidification system due to existing constraints in the ductwork, the City accepted the risks expressed by our concerns, and requested that our office provide planning schedules and begin to work as soon as possible. Professional services from system and manufacturer selection through construction documents,



permitting and construction administration of the installation were provided. Finally, the commissioning and factory start up of the system was performed in early October of 2003.

Spillis Candela DMJM has continued through difficult times to work with the City to improve the HVAC system performance, and has provided our own services and those of outside consultants to address the HVAC issues at the Bass Museum for a period of four years, at our own cost. The time to observe the system performance through a winter season as requested by the City has passed, and as stated above the installation of the humidification system has significantly improved the overall system performance. Therefore, we respectfully request that our outstanding invoices for extended construction administration services, unrelated to the HVAC issues, be revisited for payment, and we can close this Contract through our requested release.

Along with the meeting notes from June 17, 2002, I have attached our release letter and a Statement of Account with back up. Please review these documents and if needed, we can discuss. If acceptable, please sign and forward one fully executed Final Release and return it to our office.

Sincerely,

A handwritten signature in black ink, reading "Steven P. Berler". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Steven P. Berler
Project Manager
Senior Associate

CC: D.Klem, J. Cruz, I. Gonzalez - Spillis Candela DMJM
J. Chartrand - City of Miami Beach

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

JORGE CHARTRAND
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FL 33139
USA

DATE: 08/25/04

STATEMENT OF ACCOUNT

INVOICE	DATE	PROJECT	JOB DESCRIPTION	INVOICE AMT	PAYMENTS	BALANCE
BASS MUSEUM - EXPENSES						
E130	11/01/01	032113032.0000	EXPENSES	\$1,645.42		\$1,645.42
E135	11/12/01	032113032.0000	CONSULTANT EXPENSES	\$420.00		\$420.00
BASS MUSEUM - EXTENDED CONSTRUCTION ADMINISTRATION						
L129	02/14/01	032113032.0030	LABOR	\$3,705.00		\$3,705.00
L130	03/12/01	032113032.0030	LABOR	\$3,420.00		\$3,420.00
L131	04/20/01	032113032.0030	LABOR	\$2,280.00	\$1,935.00	\$345.00
L132	05/17/01	032113032.0030	LABOR	\$3,302.50		\$3,302.50
L133	10/19/01	032113032.0030	LABOR	\$2,185.00		\$2,185.00
L134	08/14/02	032113032.0030	LABOR	\$4,312.50		\$4,312.50

CURRENT	OVER 30	OVER 60	OVER 90	OVER 120	TOTAL
\$0.00	\$0.00	\$0.00	\$0.00	\$19,335.42	\$19,335.42

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE 10/31/01
PROJECT NO. 3032.0000
INVOICE NO. 130
CLIENT NO. 032002842

SC DMJM PROJECT NO. 032113032.0000

RE:: BASS MUSEUM - MIAMI BEACH, FLORIDA
EXPENSES PAID ON YOUR BEHALF 08/25/2001 TO 09/28/2001.

REIMBURSABLE EXPENSES

BLUEPRINTING	\$1,562.20
PLOTTING AUGUST	83.22

TOTAL AMOUNT DUE FOR EXPENSES	\$1,645.42
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TOTAL AMOUNT DUE THIS INVOICE	<u>\$1,645.42</u>
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UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.

INVOICES UNPAID AFTER 30 DAYS MAY COUSE WORK TO BE INTERRUPTED

SPILLIS CANDELA & PARTNERS, INC

SPILLIS CANDELA & PARTNERS INTERIORS

SPILLIS CANDELA /WARNECKE

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE : 11/02/01
PROJECT NO : 3032.0000
INVOICE NO : 135
CLIENT NO : 032002842

SCDMJM PROJECT NO : 032113032.0000

RE: BASS MUSEUM - RENOVATION AND EXPANSION - EXTENDED CONSTRUCTION
CONSULTANT EXPENSES NOT PREVIOUSLY INVOICED 12/21/2000.

CONSULTANT EXPENSES

FRANKEL AND ASSOCIATES - 6559

\$420.00


TOTAL AMOUNT DUE FOR CONSULTANT EXPENSES

\$420.00

TOTAL AMOUNT DUE THIS INVOICE

\$420.00

STEVE BERLER
PROJECT MANAGER



UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.
INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.

SPILLIS CANDELA & PARTNERS, INC

SPILLIS CANDELA & PARTNERS INTERIORS

SPILLIS CANDELA /WARNECKE

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE : 10/26/00
PROJECT NO : 3032.0030
INVOICE NO : 129
CLIENT NO : 032002842

SCDMJM PROJECT NO : 032113032.0030

RE: BASS MUSEUM - RENOVATION AND EXPANSION - EXTENDED CONSTRUCTION
ADMINISTRATION. SERVICES RENDERED 11/24/2000 TO 01/26/2001.

<u>PROFESSIONAL SERVICES</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
PROJECT ARCHITECT BERLER, STEVE	36.00	95.00	3,420.00
PROJECT ENGINEER AGUIRRE, LOUIS	3.00	95.00	285.00
	39.00		
TOTAL AMOUNT DUE FOR SERVICES			\$3,705.00
TOTAL AMOUNT DUE THIS INVOICE			<u>\$3,705.00</u>

STEVE BERLER 
PROJECT ARCHITECT

UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.

INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.

SPILLIS CANDELA & PARTNERS, INC SPILLIS CANDELA & PARTNERS INTERIORS SPILLIS CANDELA /WARNECKE

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE : 03/08/01
PROJECT NO.: 3032.0030
INVOICE NO.: 130
CLIENT NO.: 032002842

SCDMJM PROJECT NO : 032113032.0030

RE: BASS MUSEUM - RENOVATION AND EXPANSION - EXTENDED CONSTRUCTION
ADMINISTRATION. SERVICES RENDERED 01/27/01 to 02/23/01.

<u>PROFESSIONAL SERVICES</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
PROJECT ARCHITECT BERLER, STEVE	36.00	95.00	3,420.00
	36.00		
TOTAL AMOUNT DUE FOR SERVICES			\$3,420.00
TOTAL AMOUNT DUE THIS INVOICE			<u>\$3,420.00</u>

STEVE BERLER
PROJECT ARCHITECT



UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.
INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.

SPILLIS CANDELA & PARTNERS, INC SPILLIS CANDELA & PARTNERS INTERIORS SPILLIS CANDELA /WARNECKE

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE : 04/18/01
PROJECT NO : 3032.0030
INVOICE NO : 131
CLIENT NO : 032002842

SCDMJM PROJECT NO.: 032113032.0030

RE: BASS MUSEUM - RENOVATION AND EXPANSION - EXTENDED CONSTRUCTION
ADMINISTRATION. SERVICES RENDERED 02/24/01 to 03/30/01.

<u>PROFESSIONAL SERVICES</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
PROJECT ARCHITECT BERLER, STEVE	20.00	95.00	1,900.00
PROJECT ENGINEER AGUIRRE, LOUIS	4.00	95.00	380.00

24.00
TOTAL AMOUNT DUE FOR SERVICES \$2,280.00

TOTAL AMOUNT DUE THIS INVOICE \$2,280.00

PAID 1935.00
BALANCE \$345.00

STEVE BERLER
PROJECT ARCHITECT

UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.
INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.

SPILLIS CANDELA & PARTNERS, INC SPILLIS CANDELA & PARTNERS INTERIORS SPILLIS CANDELA /WARNECKE

Spillis Candela & Partners, Inc

800 Douglas Entrance Coral Gables, Florida 33134 305/444 4691

Coral Gables Orlando West Palm Beach Washington, DC

TO: MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS/CITY HALL
1700 CONVENTION CENTER DRIVE
MIAMI BEACH, FLORIDA 33139

DATE : 05/10/01
PROJECT NO : 3032.0030
INVOICE NO : 132
CLIENT NO : 032002842

SCDMJM PROJECT NO : 032113032.0030

RE: BASS MUSEUM - RENOVATION AND EXPANSION - EXTENDED CONSTRUCTION
ADMINISTRATION. SERVICES RENDERED 03/31/01 to 04/27/01.

<u>PROFESSIONAL SERVICES</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>
PROJECT DIRECTOR RIVERO, EMILIO	5.00	140.00	700.00
PROJECT ARCHITECT BERLER, STEVE	13.50	95.00	1,282.50
PROJECT ENGINEER AGUIRRE, LOUIS	9.00	95.00	855.00
FERNANDEZ, JOSE	2.00	95.00	190.00
SPEC. WRITER GARCIA, ALICIA	1.00	95.00	95.00
ENGINEER LOSA, GONZALO	2.00	90.00	180.00

32.50
TOTAL AMOUNT DUE FOR SERVICES \$3,302.50

TOTAL AMOUNT DUE THIS INVOICE \$3,302.50

STEVE BERLER 
PROJECT ARCHITECT

UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.
INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.

SPILLIS CANDELA & PARTNERS, INC SPILLIS CANDELA & PARTNERS INTERIORS SPILLIS CANDELA /WARNECKE

Spillis Candela DMJM

architecture engineering planning interiors

October 16, 2001

Invoice No 32113032.0030-0000133

Federal Tax ID No. 95-2084998

MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS CITY HALL
1700 CONVENTION CENTER DR.
MIAMI BEACH FL 33139

PLEASE MAIL CHECK TO:

Spillis Candela DMJM
800 Douglas Entrance
Coral Gables, Florida 33134
(305) 444-4691

OR WIRE TRANSFER PAYMENT TO:

Daniel, Mann, Johnson, & Mendenhall
Bank of America
Concord, California
Bank Routing Number: 121000358
Account Number 06002-05331

Please Reference Invoice and Job Numbers
with Remittance

Project: 32113032.0030 BASS MUSEUM-EXT. C/A SERV

CLIENT# 032002842


Professional Services: August 25, 2001 through September 28, 2001

Professional Personnel

	Hours	Rate	Amount
ARCH. - PROJECT ARCH/DESIGNER			
BERLER, STEVEN	23.00	95.00	2,185.00
Totals	23.00		2,185.00
Total Labor			2,185.00

Total this invoice \$2,185.00

UNLESS NOTIFIED WITHIN 10 DAYS, THIS INVOICE IS CONSIDERED ACCEPTABLE
AND WILL ACCRUE INTEREST AFTER 30 DAYS IF UNPAID.
INVOICES UNPAID AFTER 30 DAYS MAY CAUSE WORK TO BE INTERRUPTED.


Authorized Signature

Spillis Candela DMJM

800 Douglas Entrance, North Tower, 2nd Floor, Coral Gables, FL 33134
Telephone: 305-444-4691 Fax: 305-447-3578

Architecture Interior Architecture Engineering Planning Program Management

Wire Transfer Payment to:
AECOM Technology Corp
Bank of America
Dallas, Texas
Account No. 3751826462
ABA No. 111000012

Remit Payment to:
DMJMH+N
Drawer #100206
Atlanta, GA 30384

Federal Tax ID No. 95-4739674

MR. JORGE CHARTRAND
CONSTRUCTION MANAGER
PUBLIC WORKS CITY HALL
1700 CONVENTION CENTER DR.
MIAMI BEACH FL 33139

August 13, 2002
Invoice No: 32113032.0030-0000134

Please Reference Invoice and Job Numbers
with Remittance

Project: 32113032.0030 BASS MUSEUM-EXT. C/A SERV

CLIENT# 032002842


Professional Services: October 1, 2001 through August 9, 2002

Professional Personnel

	Hours	Rate	Amount
ARCH. - PROJECT MANAGER			
BERLER, STEVEN	34.50	125.00	4,312.50
Totals	34.50		4,312.50
Total Labor			4,312.50

Total this invoice \$4,312.50

Unless notified within 10 days, this invoice is considered acceptable.
Finance charges at 1-1/2% per month, or applicable percentage designated
by law, on the unpaid balance will accrue after 30 days. If terms otherwise
specified in Contract Agreement, Contract Terms apply.


Authorized Signature

Spillis Candela DMJM

800 Douglas Entrance Coral Gables, Florida 33134-3119 305/444 4691

MEETING NOTES

Date: June 20, 2002

Subject: Bass Museum of Art
Project Close Out
SCDMJM Project No. 032113032.0030

Date of Meeting: June 17, 2002

Place of Meeting: City Hall - City of Miami Beach

Prepared by: Steve Berler

Attending:	Deborah Klem	Spillis Candela DMJM
	Steve Berler	Spillis Candela DMJM
	Michael Kerwin	Spillis Candela DMJM
	Todd Osborn	URS
	Jorge Chartrand	City of Miami Beach
	Timothy Hemstreet (part time)	City of Miami Beach

Participants are requested to respond to the writer within 10 days (from above date) with additions or modifications to these notes, after which time they shall be considered a complete and accurate record of key items discussed in the meeting. Items are not necessarily listed in order of discussion.

Spillis Candela DMJM requested a meeting to begin project close out discussions with the City, to define the basis of negotiations and to gain final release from the project. The following issues were discussed:

1. S. Berler gave a status report on the memo from URS / Property Management regarding field observations of installed mechanical equipment and as-built documents. Two of the five items were clarified (OAU-1 and ACE-4), more time is needed to check submittals for unit PS-1, more information is needed from the observers regarding the comment on the installed damper, and a site visit might be required to confirm the bag filters.
2. S. Berler began a general discussion to define the issues and basis for negotiations. The outstanding invoices for extended construction administration totaling \$15,022.92 were noted and clarified as time spent addressing contractor issues such as extensive punch list verification, water intrusion issues, terrazzo issues, stucco repair, painting and roof warranty.
3. The discussion then moved to the various HVAC issues. It was noted that over the last 21 months Spillis Candela DMJM has vigorously observed, investigated and provided recommendations to fine tune and bring the installed system into design criteria parameters. Time spent by Spillis Candela DMJM staff for this effort has been tracked in a separate charge number, and has not been invoiced. This time if billable would equal

approximately \$73,000. Costs incurred by Spillis Candela DMJM also include fees paid to GFS Consulting Inc. for field testing and analysis that equal \$9,728. Previous reduction of our extended administration fees by \$29,083.85 for three proposal requests that were corrective measures for the HVAC system are also outstanding invoices to be resolved.

4. Jorge Chartrand provided a status update on the HVAC modifications and wood floor installation. The last HVAC recommendation from Spillis Candela DMJM issued 1/16/02 is currently in process - the two units for the Art Storage and Loading Dock have been installed but not yet connected to the controls system. The floor is complete, and this will allow for the re-deployment of the hydrothermographs into the gallery space to record the temperature and relative humidity. The City wants to finish the current work, educate the staff on the system and to have the system re-balanced. Jorge noted that Property Management has identified one individual that will be trained and assigned to provide maintenance and quick response to any alarms triggered by a malfunction in the system.
5. It was noted that the system has been reviewed by URS, TLC, Johnson Controls, Dr. Stolow and others, and that the conclusions reached indicate that the design should produce the environmental conditions required for the facility. Todd Osborn noted that the system has been operating recently in a more consistent fashion and generally within the design criteria with the exception of two areas - Art Storage and the Loading Dock.
6. The City stated that it is not ready to close the project and release Spillis Candela DMJM because more time is needed to observe the HVAC system after the latest modifications, and to see if the system will operate in an extended consistent fashion within the criteria. Also of concern to the City is the low humidity conditions experienced during the winter months. Tim Hemstreet stated that the museum recorded approximately 100 days of readings with relative humidity levels too dry. URS will provide the temperature and relative humidity readings from the museum staff for our review. The discussions then centered on whether or not a humidification system should have been provided within the design. S. Berler stated that our position as outlined in the 1/11/01 letter from Jorge Porro has not changed, and that the concerns for indoor air quality and maintenance issues associated with humidification systems remain. Also noted were three local museums that were contacted (Miami Art Museum, North Miami Museum of Contemporary Art, Wolfsonian), and confirmed that their environmental systems do not include humidifier provisions. It is Spillis Candela DMJM's position that this fact illustrates the HVAC design is within industry standards for museum facilities in this area and climactic zone. The City contends that irregardless of the frequency of low humidity periods, a system to add humidity into the facility should have been provided within the design in order to maintain the design criteria, and if low humidity readings next winter show that this condition exists more than a few days in the season -- the City will expect Spillis Candela DMJM to provide a humidification system design as part of our basic services. The costs for equipment and installation would be borne by the City.

Meeting Notes
June 17, 2002
Page 3

7. M. Kerwin expressed concern that Spillis Candela DMJM is being held totally responsible for a sensitive mechanical system that is in other's hands, and is affected by maintenance and users at the facility which has been occupied for approximately two years. The City recognizes these concerns and described the access to the system as limited to Property Management only, and the City noted that Spillis Candela DMJM has been included through notice of all modifications to the system. M. Kerwin went on to say that the facility is ending up with a system with a level of equipment and sophistication that the original construction budget never allowed, and that Spillis Candela DMJM has made significant contributions towards that end. The City countered that although they were aware of the budget constraints on the project, a search of the files has not shown a written notification of these concerns by the professional was received by the City.
8. D. Klem noted that in order to properly define the basis of the close out negotiations, and to bring Spillis Candela DMJM's insurance carriers up to current status, a document will be produced that will list all invoices for costs incurred by the firm to date, inclusive of the previously deducted fees totaling \$29,083.85.
9. The meeting ended with J. Chartrand and T. Osborn stating that if the system provides three to four months of consistent operations while allowing for minor adjustments of set points coinciding with climactic conditions, they see no issues with the City settling with Spillis Candela DMJM and providing final release from the project.

cc: J. Chartrand – City of Miami Beach
T. Hemstreet - City of Miami Beach
T. Osborn - URS
D.Klem, M. Kerwin, J. Cruz, M. Iglesias - Spillis Candela DMJM

RESOLUTION TO BE SUBMITTED

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AN ADDITIONAL APPROPRIATION, IN THE AMOUNT OF \$300,000, FROM PARKING REVENUE BOND FUND 481 TO WORK ORDER 2113 TO COMPLETE THE RENOVATION OF THE 12TH STREET MUNICIPAL GARAGE.

Issue:

Should the City Commission adopt the resolution?

Item Summary/Recommendation:

In August 1997 the City of Miami Beach issued Parking Revenue Bonds for projects approved by the Transportation and Parking Committee, the Mayor, and City Commission. The renovation of the 12th Street Garage was one of the projects.

On June 14, 1994 the City of Miami Beach entered into an agreement with the Consultant for studies, design and preparation of construction documents and construction administrative services for renovating the 12th Street Garage. The agreement allocated a six percent (6%) lump sum fee of the approved construction cost to be paid to the consultant and an additional \$19,970 for hourly fees.

The original amount appropriated in the year 2000 for the project was \$685,711 as per Resolution 2000-23962. Several changes in the scope of work generated by the city, including but not limited to emergency corrective elevator work and the deletion of a generator, required redesigning a large portion of the plans. In addition to these changes the consultant/architect has been required to carry liability insurance for the past 10 years for this project. Due to inflation and the above stated reasons, the City administration agreed to pay additional fees to the consultant. The current construction costs to renovate the facility have been agreed upon at \$806,367 and the hourly fees to be paid to the consultant (Gambach Architects, Inc.) now total \$48,383.

As a direct result of the increase in construction costs the contingency and the consultant fees have also risen. In addition, the city is now using a JOC contractor which has resulted in additional fees to the JOC program management firm, The Gordian Group, Inc. A change in the Art in Public Places Ordinance now requires parking lots and parking garages to provide funding from the construction budget and this has also resulted in additional costs. Some of the additional costs are as follows:

- 13% contingency in the amount of \$106,679.
- 6% fee for Gambach in the amount of \$48,383 based on agreed terms.
- 1.5% Fee for the Gordian Group, Inc. in the amount of \$12,096 Based on the JOC agreement terms.
- 1.5% Art in Public Places Fee in the amount of \$12,096

The total amount necessary to complete the project is now calculated at \$985,621 leaving a deficit of approximately \$300,000 from the \$685,711 originally appropriated.

The action before the Mayor and City Commission today is to approve the appropriation of an additional \$300,000 available from Parking Revenue Bond Fund 481, to be combined with both the amounts already allocated in to Work Order 2113 for the renovation of the 12th Street Garage.

Administration Recommendation:

To approve the Resolution

Financial Information:

Source of Funds:		Amount	Account	Approved
	1	\$300,000	Parking Fund 481	
Finance Dept.	Total	\$300,000		

City Clerk's Office Legislative Tracking:

Hiram Siaba

Sign-Offs:

Department Director	Assistant City Manager	City Manager
TH	RCM CMC	JMG

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C-12PKG-02-01122005-HS

AGENDA ITEM A7D
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AN ADDITIONAL APPROPRIATION, IN THE AMOUNT OF \$300,000, FROM PARKING REVENUE BOND FUND 481 TO WORK ORDER 2113 TO COMPLETE THE RENOVATION OF THE 12TH STREET MUNICIPAL PARKING GARAGE.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution

ANALYSIS

In August 1997 the City of Miami Beach issued Parking Revenue Bonds for projects approved by the Transportation and Parking Committee, the Mayor, and the City Commission. The renovation of the 12th Street Parking Garage was one of the projects included in the program.

The 12th Street Municipal Parking Garage renovation project currently includes the installation of revenue control systems, new lighting systems, a new cashiering station and parking office, interior and exterior painting, general repairs and signage. When completed, this facility will be upgraded to a state-of-the-art attended facility on par with the 7th Street Garage and 17th Street Garage.

On June 14, 1994 the City of Miami Beach entered into an agreement with the Consultant Gambach/Sklar for feasibility studies, design development, preparation of construction documents, and construction administration services for the renovation of the 12th Street Parking Garage. The agreement allocated a six percent (6%) lump sum fee of the approved construction cost to be paid to the consultant and an additional \$19,970 for hourly fees.

The original amount appropriated in the year 2000 for the construction of the project was \$685,711 as per Resolution 2000-23962. On October 17, 2001, the Mayor and City Commission approved the re-assignment of the project from the original consulting firm of Gambach/Sklar, which was in the process of dissolution, to the firm of Gambach Architects, Inc. (Gambach). Additionally, the Mayor and City Commission approved several changes in the scope of work. These changes included repairs and additions to the

building's lightning protection system, removal of all parking meter posts and repair to the slab openings, repair of all railing posts, repair of expansion joints, and others. Other changes in scope during the design process have also increased construction costs beyond the original estimate and appropriation as well as generated additional design fees. These include the new first floor office and restroom, bullet proof glass in the office, waterproofing of the building roof parking area, re-stripping of the facility, and others.

During the process of design and as a consequence of delays in the production of documents it was also necessary to perform corrective work in the facility prior to the construction project commencement. This work included the renovation of the building elevator and the emergency generator. These changes required the redesign of a large portion of the almost completed construction documents, including the deletion of these previous two items from the construction documents.

In addition, at the time the firm of Gambach was assigned the project, the City required them to carry individual liability insurance for their services throughout the duration of the project. This resulted in additional costs to the firm for approximately four (4) years for this specific project in addition to the insurance carried for other projects in which the firm is involved.

Due to market inflation costs through the four years in which the project has essentially been dormant, and the above stated design and production reasons, the City administration has agreed to pay additional fees to the consultant based on the requirements of the Agreement with Gambach. Based on the current construction costs to renovate the facility, which have been priced by a JOC contractor at \$806,367, Gambach is entitled to six (6%) percent of the additional construction value difference from the previous estimated costs and also additional hourly fees beyond those established at the time of the original Agreement.

As a direct result of the increase in construction costs, the construction contingency has also risen. In addition, because the City is now planning to use a JOC contractor, additional fees to the JOC program management firm, The Gordian Group, Inc., will also be incurred in accordance to the City's JOC Agreement. Furthermore, a change in the Art in Public Places Ordinance now requires parking lots and parking garages to provide funding from the construction budget. This requirement was not present at the time the original estimate and appropriation occurred and has also resulted in additional costs. The additional costs described above are listed below:

- A 13% construction contingency, in the amount of \$106,679 based on the cost established by the JOC contractor.
- A 6% fee for Gambach in the amount of \$48,383 based on the original Agreement terms.
- A 1.5% Fee for the Gordian Group, Inc. in the amount of \$12,096 based on the JOC Agreement terms.
- A 1.5% Art in Public Places Fee in the amount of \$12,096, based on the current

Ordinance requirements.

The total amount necessary to complete the project is now calculated at \$985,621, which includes the construction value and the required soft costs. This amount leaves a deficit of approximately \$300,000 in relation to the original appropriation of \$685,711. The contingency for the project has been established at a slightly higher percentage than the standard ten (10%) percent due to the renovation nature of the project scope. Any unused funds in the contingency would be returned to the bond fund to be used for other parking renovation projects as needed.

The action before the Mayor and City Commission today is a request to approve the appropriation of an additional \$300,000 available from Parking Revenue Bond Fund 481 to be combined with the amounts already allocated from Parking Revenue Bond Fund 485 and Fund 481, to be allocated to the existing Work Order 2113 for the renovation of the 12th Street Parking Garage as recommended by the Administration.

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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AN ADDITIONAL APPROPRIATION, IN THE AMOUNT OF \$300,000, FROM PARKING REVENUE BOND FUND 481 TO WORK ORDER 2113 TO COMPLETE THE RENOVATION OF THE 12TH STREET MUNICIPAL GARAGE.

WHEREAS, in August 1997, the City issued Parking Revenue Bonds for projects which were approved by the Transportation and Parking Committee, in it's advisory capacity, and the Mayor and City Commission. The renovation of the 12th Street Garage was one of the projects; and

WHEREAS, the 12th Street Municipal Parking Garage renovation project includes the installation of revenue control systems, new lighting systems, a new cashiering station and parking office, interior and exterior painting, general repairs and signage; and

WHEREAS, on June 14, 1994 the City of Miami Beach entered into an agreement with the Consultant for studies, design and preparation of construction documents and construction administrative services for renovating the 12th Street Garage; and

WHEREAS, the agreement with the Consultant allocated a six percent (6%) lump sum fee of the approved construction cost to be paid to the consultant and an additional \$19,970 for hourly fees; and

WHEREAS, the original amount appropriated in the year 2000 for the project was \$685,711 as per Resolution 2000-23962; and

WHEREAS, several changes in the scope of work generated by the city, including but not limited to emergency corrective elevator work and the deletion of a generator, required redesigning a large portion of the plans; and

WHEREAS, in addition to these changes the consultant/architect has been required to carry liability insurance for the past 10 years for this project; and

WHEREAS, due to inflation and the above stated reasons, the City administration agreed to pay additional fees to the consultant; and

WHEREAS, the current construction costs to renovate the facility have been agreed upon at \$806,367 and the hourly fees to be paid to the consultant (Gambach Architects, Inc.) now total \$49,720; and

WHEREAS, as a direct result of the increase in construction costs the contingency and the consultant fees have also risen; and

WHEREAS, in addition, the city is now using a JOC contractor which has resulted in additional fees to the JOC program management firm, The Gordian Group, Inc. A change in the Art in Public Places Ordinance now requires parking lots and parking garages to provide funding from the construction budget and this has also resulted in additional costs. Some of the additional costs are as follows:

- 12% contingency in the amount of \$96,764
- 6% fee for Gambach in the amount of \$48,383 based on agreed terms.
- 1.5% Fee for the Gordian Group, Inc. in the amount of \$12,096 Based on the JOC agreement terms.
- 1.5% Art in Public Places Fee in the amount of \$12,096; and

WHEREAS, the total amount necessary to complete the project is now calculated at \$975,706, leaving a deficit of approximately \$300,000 from the \$675,711 originally appropriated; and

WHEREAS, funds to complete the project are available from Parking Revenue Funds 1997.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission approve the appropriation of an additional \$300,000 available from Parking Revenue Bond Fund 481, to be combined with both the amounts already allocated from Parking Revenue Bond Fund 485 and Fund 481, to allocate it to Work Order 2113 for the renovation of the 12th Street Garage as recommended by the Administration.

PASSED and ADOPTED this 12th day of January 2005.


MAYOR

ATTEST:

CITY CLERK

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

12-27-04
Date

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution of the Mayor and Commission of the City of Miami Beach Authorizing the Execution of an Agreement with Hargreaves Associates In the Not To Exceed Amount of \$328,505 for the Planning of South Pointe Park Improvements.

Issue:

Should the Mayor and City Commission Authorize the Execution of an Agreement with Hargreaves Associates In the Not To Exceed Amount of \$328,505 for the Planning of South Pointe Park Improvements?

Item Summary/Recommendation:

In 1995 the City adopted a Parks Bond Master Plan that included major improvements to South Pointe Park. On June 26th 1997, the Mayor and City Commission approved a Resolution authorizing the City to enter into an agreement with Bermello and Ajamil for the design of improvements to South Pointe Park. In November 2002, the City Commission terminated this agreement with Bermello and Ajamil and authorized the issuance of a new RFQ for architecture and engineering services for the design of Park improvements. However, due to delays in settling various City land use litigation in the immediate area, this RFQ was terminated. After this litigation was settled, on September 8, 2004 the City Commission authorized the issuance of RFQ No. 39-03/04. The RFQ was issued, six responses were received, and an Evaluation Committee appointed by the City Manager convened and listened to presentations from the six firms and ranked Hargreaves Associates number one. On November 10, 2004, the City Commission authorized the Administration to negotiate an agreement with Hargreaves Associates for the design of park improvements. City staff held a negotiation session on December 16th with Hargreaves Associates and reached substantial agreement on the attached scope of services (Attachment A) to be performed for a fee of \$328,505 (Attachment B). The budget for the park is approximately \$10,200,000 dollars including \$2,000,000 in 1999 City G.O. Bond funding, \$3,200,000 in South Pointe RDA funding, and \$5,000,000 in 2004 Miami Dade County G.O. Bond funding.

Advisory Board Recommendation:

NA

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 40px; margin: 0 auto;"></div> Finance Dept.	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Donald P. Shockey

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM R7E

DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HARGREAVES ASSOCIATES IN THE NOT TO EXCEED AMOUNT OF \$328,505 FOR THE PLANNING OF SOUTH POINTE PARK IMPROVEMENTS.

Funding

Funding in the amount of \$328,505 has previously been appropriated from South Pointe RDATIF funds for South Point Park Improvements.

Analysis

In 1995 the City adopted a Parks Bond Master Plan that included major improvements to South Pointe Park. On June 26th 1997, the Mayor and City Commission approved a Resolution authorizing the City to enter into an agreement with Bermello and Ajamil for the design of improvements to South Pointe Park. Although some degree of planning of Park improvements was completed for the Park by 2002, in November 2002 the City Commission terminated its agreement with Bermello and Ajamil and authorized the issuance of a new RFQ NO. 16-02/03 for architecture and engineering services for the design of Park improvements.

Responses to the RFQ were received in February 2003, and an Evaluation Committee was appointed and met to short-list the top ranked firms. However, at approximately the same time, the City's options for settling the long standing land use litigation related to the Alaska parcel expanded to include the possible addition of approximately two acres to South Pointe Park which would substantially affect the scope of services for the Project. It was anticipated that this issue could be resolved in a manner that would allow the RFQ process underway to continue. However, it was ultimately determined that the addition of the land would substantially change the scope of services for the Project, and RFQ NO. 16-02/03 was therefore terminated by the City Commission on February 25, 2004.

In July 2004, the City reached a settlement on the long standing Alaska Parcel land use litigation that will add 2 acres to the Park. After this litigation was settled, on September 8, 2004 the City Commission authorized the issuance of RFQ No. 39-03/04 which included a revised scope of services which addressed the land being added and related issues. The

RFQ was issued, six responses were received, and an Evaluation Committee appointed by the City Manager convened and heard presentations from the six firms and ranked Hargreaves and Associates number one.

On November 10, 2004, the City Commission authorized the Administration to negotiate an agreement with Hargreaves and Associates for the design of Park improvements. City staff held a negotiation session on December 16, 2004 with Hargreaves and Associates and reached substantial agreement on the attached scope of services (Attachment A) to be performed for a fee of \$328,505 (Attachment B). This fee represents approximately 3.7% of the approximate project construction budget of \$8,700,000. Funding in the amount of \$328,505 is available from South Pointe RDA funds. The total budget for the Park is approximately \$10,200,000 dollars including \$2,000,000 in 1999 City G.O. Bond funding, \$3,200,000 in South Pointe RDA funding, and \$5,000,000 in 2004 Miami-Dade County G.O. Bond South funding.

The fee negotiated is limited to the planning phase of the Project. The fee was negotiated as a part of the process of entering into a standard City agreement for A/E services. However, the possibility remains that The Related Group (TRG), the former developer of the Alaska Parcel, may be willing to fund either all or a substantial portion of this fee. Staff is currently working with TRG to determine the feasibility of this happening. Regardless, the Planning portion of the Project would be managed by City staff in accordance with the City's regular process for planning park improvements. Thereafter, the City could elect to exercise the option contained in the Settlement Agreement between the City of Miami Beach and The Related Group dated July 28, 2004, that provides for the Developer to build, at their cost and at the City's expense, the public facilities in South Pointe Park.

Hargreaves and Associates has also expressed interest in performing the design and construction administration services for the entire Project. Staff is continuing the negotiation of these services for the Commission's future consideration.

Administration Recommendation

The negotiated fee is commensurate with the level of improvements contemplated in the scope of services for this high profile City Park. The Administration recommends adoption of the Resolution so that the planning process can be completed in a timely manner.

JMG:RCM:TH:DPS

Attachment A

SCHEDULE A
CITY OF MIAMI BEACH, FLORIDA
SOUTH POINTE PARK IMPROVEMENT PROJECT
SCOPE OF A/E CONSULTANT SERVICES

CONSULTANT: HARGREAVES ASSOCIATES

Program Background

The City of Miami Beach (CITY) has developed its multi-million dollar, multi-year "Planned Progress" Capital Improvement Program to rebuild the City's existing roads, infrastructure, utilities, parks and facilities, and to build new capital projects where they are needed. The Program will dramatically improve the quality of life of the City's residents and complement the enormous amount of private reinvestment that has taken place in the City. One of the projects included in the "Planned Progress" program is the South Pointe Park Improvement Project.

Project Background

Since the City's Parks Bond Master Plan was issued in 1995, there have been various efforts to consider and plan improvements to South Pointe Park. Because of ongoing dramatic land use and demographic changes in the immediate area around the Park, the planning of these improvements has been delayed. The recent agreement between the City and the private landowner adjacent to the park provides for a transfer of approximately two additional acres to the Park. Now that the final configuration of the Park has been determined, and that the final development of the land surrounding the Park has been determined, this is an optimal point to begin designing the final South Pointe Park Improvement Project. In addition, the successful 2004 County G.O. Bond referendum added another \$5 million dollars to the Park Project resulting in a total Project budget of \$10.2 million dollars. Of this, the Target Construction Budget is approximately \$8 million.

The City has undertaken a competitive consultant selection process that has resulted in the selection of Hargreaves Associates as the CONSULTANT which will provide the necessary services outlined in this Scope of Services.

At this time the Scope of Services for the Planning of the South Pointe Park Improvement Project includes the following: Provide the planning, urban design, architecture, landscape architecture, and engineering services required to identify and plan comprehensive improvements to the City of Miami Beach's South Pointe Park. Anticipated improvements include landscaping, irrigation, recreational areas, walkways, rest rooms, signage, support structures, parking, lighting, seawall improvements, bay walk, water features, natural/historic/maritime information interpretive features, and concession areas and appropriate accessory park commercial uses and any other Park elements or public facilities determined to be required or desired by the City during the planning process.

The CONSULTANT will collaborate with an artist to identify opportunities to place passive and interactive art elements that will be a significant component of the Project.

In identifying optimal Park improvements, the CONSULTANT will consider improvements described in the 1995 "City of Miami Beach Parks Master Plan" and those identified in community workshops previously held by the City on the Project. The professional services provider will also undertake original planning and design analysis and hold additional community workshops to identify all potential improvements and determine those to be implemented. An optimal master plan of improvements shall be identified in a Basis of Design Report (BODR). It is required that this BODR will be completed by July 28, 2005 to enable the City to potentially take advantage of the City's agreement with the adjacent property developer to design and construct the planned improvements at the cost of said improvements with no mark up.

The Park boundary shall include any or all of a substantial portion of the adjacent "Alaska parcel" property, consisting of approximately 2 ± acres and the unifying Washington Avenue Extension that connects the park to the Alaska Parcel that is being contemplated for addition to the Park as will be ultimately determined by the City. The scope of the Park improvements may include any of the above-identified improvements on this additional Park area. Required professional services will include any urban design services needed to successfully integrate this additional park area into the existing Park, to establish optimal pedestrian connections both within the Park and between the Park and the surrounding area, and to design Park improvements in a manner that creates an optimal relationship between said improvements and

the surrounding urban fabric including built structures, open space, view corridors, roadways, and pedestrian ways.

At this time, the Scope of Services for the Project is limited to the Planning Phase (Task 1), one sub-task of the Design Phase (Task 2.1), and Reimbursable Expenses (Task 6) as identified below. However, the CITY may at it's option within 60 days of the completion of the Basis of Design Report, accept the CONSULTANT'S fee to extend the Scope of Services to include the following:

- detailed design services,
- bidding and award services
- construction administration services.

Refer to Schedule B.

TASK 1 –PLANNING SERVICES

The purpose of this Task is to develop a concept plan that meets the City's functional requirements, addresses community input, and stays within established schedule and cost parameters.

The planning phase of the Project will include the following major tasks: (1) Project Kick -Off Meeting; (2) Visioning Session to clarify project goals and confirm Project Budget; (3) Site Reconnaissance Visit and Development of Design Concept Alternatives; (4) two Community Design Workshops to provide residents the opportunity to participate in the planning process; and (5) the preparation and presentation of a Basis of Design Report (BODR) for approval by the Mayor and City Commission.

A final Basis of Design Report shall then be prepared summarizing the accepted design concept, budget level cost estimate and implementation schedule as noted in Task 1.8. To facilitate the implementation of a Public Information Program, CONSULTANT shall provide electronic files of all project documents, as requested by CITY.

Task 1.1 – Project Kick-Off Meeting: CONSULTANT shall meet with CITY to review existing planning documents and receive copies of available reference documents. CITY shall provide

general specific information regarding procedures and direction. Based on this meeting CONSULTANT will schedule a reconnaissance visit of the Project site(s).

Deliverables: - Attend Project kick-off meeting.

Schedule: - Within 7 calendar days of Task 1 - Planning Phase Notice-to-Proceed.

Task 1.2 – Project Site Reconnaissance Visit: CONSULTANT shall attend a reconnaissance site visit. The site visit will be attended by CONSULTANT and CITY staff. The intent of this task is to facilitate CONSULTANT's understanding of the project needs.

Based on the results of the site visit, CONSULTANT shall prepare 3 possible design strategies that are responsive to the project program, budget and schedule.

The CITY has performed certain planning efforts that identified potential locations and types of improvements anticipated. These efforts are summarized in the RFQ.

Deliverables: - Attend reconnaissance project site visit.

Schedule: - Within 14 calendar days of completion of Task 1.1 services.

Task 1.3 – Attend “Visioning” Session and Development of Concept Alternatives: After conducting the Project site visit and developing design concept alternatives and cost estimates, CONSULTANT shall attend a half-day “Visioning” session to be scheduled with representatives of the CITY. The purpose of the “Visioning” session shall be to clarify Project goals to prepare for the Community Design Workshops. Issues to be discussed shall include the proposed alternatives, budget and schedule.

The CITY may also arrange meetings with Collaborative working Groups and utility companies/agencies and the CONSULTANT shall attend and minute the meetings.

The CONSULTANT shall assemble a minimum of three graphic images identifying alternative Project design concepts. At least two of the images shall present proposed improvements

possible under current budget limitations. The other image shall reflect additional levels of potential improvements that may be possible should additional funding become available. In addition, CONSULTANT shall prepare preliminary "budget" level cost estimates (+30%, -15% as defined by the American Association of Cost Engineers) for each alternative treatment indicating opinions of probable cost. Estimates shall present costs by category types (i.e. paving, lighting, landscaping, etc.) and shall be prepared in a Microsoft Excel Spreadsheet format.

- Deliverables:**
- Attend "Visioning" session with representatives from CITY.
 - Develop three alternative design concepts.
 - Develop "budget" level cost estimates for each concept.

- Schedule**
- Within 30 calendar days of Task 1.2 completion.

Task 1.4 – Review Meeting Prior to Community Design Workshops: CONSULTANT shall meet with applicable CITY Staff to ensure that any and all concerns regarding Project scope, schedule and cost parameters are addressed prior to scheduling the Community Design Workshops. CONSULTANT shall prepare and distribute meeting minutes, accordingly.

- Deliverables:**
- Meet with representatives of CITY during Tasks 1.1 through 1.3 work.

- Schedule**
- Through completion of Task 1.1 through 1.3 work.

Task 1.5 - Community Design Workshops: Design workshops provide an opportunity for City residents to participate in the planning process for projects in their respective neighborhoods. To this end, a series of two (2) community workshops shall be conducted. CITY will schedule, find locations for, and notify residents of all such meetings. CONSULTANT shall prepare all materials for presentation at each workshop. At a minimum these shall include "full size" graphics, a summary of cost estimates, workshop agendas, and requisite handouts of each. CONSULTANT shall prepare draft meeting minutes and forward them to the CITY who shall finalize and distribute accordingly. Each workshop is intended to address specific design issues as follows:

Task 1.5.1 Community Design Workshop No. 1 – The first workshop is intended to provide community residents with a review of the proposed Project scope, budget and schedule and create a consensus plan with community concurrence. CONSULTANT shall prepare full size presentation graphics illustrating the Site Analysis Maps and Design Concept Alternatives developed under Tasks 1.2 and 1.3. As previously noted, the alternatives shall present proposed improvements possible under current budget limitations. In addition, graphics shall be prepared presenting a summary of probable costs for the various improvements and the workshop agenda. “Budget” level cost estimates shall be +30%, -15% as defined by the American Association of Cost Engineers. Based on this data, CONSULTANT shall present the preliminary planning information to attendees. CITY Staff will also attend these meetings, and assist CONSULTANT with responses to resident questions, as applicable. CONSULTANT shall note reasonable design revision requests from residents for review and incorporation into the proposed plan. Due to the fixed nature of Project funding, budget limits must be adhered to. CONSULTANT shall be prepared to discuss budgets and the various impacts of resident requested revisions on such, accordingly.

Deliverables: - Prepare materials, attend and conduct Community Design Workshop No. 1

Schedule: - Within 30 calendar days after completion of Task 1.3

Task 1.5.2 Community Design Workshop No. 2 – The second workshop is intended to present community residents with the selected design concept, budget and schedule based on the input received during Workshop No. 1. CONSULTANT shall prepare full size presentation graphics illustrating the selected design concept, along with a summary of probable costs for the improvements and the workshop agenda. The selected design concept shall be presented and shall illustrate proposed improvements possible under current budget limitations. “Budget” level cost estimates shall be +30%, -15% as defined by the American Association of Cost Engineers. Based on this data, CONSULTANT shall present the information to attendees. CITY Staff will also attend these meetings, and assist CONSULTANT with responses to resident questions, as applicable. CONSULTANT shall note that the design concepts presented during this meeting are considered “near final” and CITY will consider only minor design revision requests from residents for review and incorporation into the proposed plan.

Deliverables: - Prepare materials, attend and conduct Community Design Workshop No. 2

Schedule - Within 30 calendar days of Community Design Workshop No. 1

Task 1.6 – Basis of Design Report (DRAFT): CONSULTANT shall prepare a draft Basis of Design Report (BODR) presenting the results of the Community Design Workshops and final design concept plan. The BODR will include a summary of findings and a Site Plan illustrating all proposed improvements, inclusive of demolition, utilities, buildings, lighting and landscape. Where required, CONSULTANT shall perform a study to determine the most desirable routing for proposed underground improvements. The BODR shall include sufficient detail in plans, sections, notes and key descriptions to facilitate review by the various CITY permitting and planning divisions discussed in Task 1.7.

The draft BODR shall also include discussions and graphics illustrating:

- A Project implementation plan, inclusive of demolition, utilities, buildings, landscape, lighting and landscape construction with a discussion of expected impacts to the facility operations.
- A detailed description of all proposed improvements.
- A “budget” level cost estimate prepared in conformance with format approved by CITY. Estimates shall be provided for both current phase and future (unfunded) improvements. Based upon CONSULTANT’s cost estimate, CITY shall advise CONSULTANT if portions of the Project need to be deleted, phased and/or bid as alternate bid items to satisfy existing fiscal constraints. CONSULTANT shall revise BODR to reflect such issues accordingly.
- A schedule for implementing the Project itemized phase by phase (design, bid, award, and construction) including critical issues and the time period allowed for resolving each issue. The schedule shall be prepared in “Primavera Project Planner, Version 3.0” format, SureTrak, or other format specified and provided to the CITY.

- Discussion regarding permitting authorities having jurisdiction over Projects and provide a list of permits typically retained by the City, as Owner, and/or the Contractor. Unique and/or special permitting requirements shall be identified as well as permitting fees.

Deliverables: - Prepare 25 copies of the draft BODR.

Schedule: - Within 45 calendar days from completion of Community Design Workshop No. 2.

Task 1.7 – Review of BODR with CITY Divisions: CONSULTANT shall meet to present and review the draft BODR with the following review agencies:

- City of Miami Beach Departments, to include representatives of the Fire, Police, Planning, Parking, Building Department, Parks Department, Public Works.
- City of Miami Beach Planning Review Board if necessary
- City of Miami Beach Design Review Board
- City of Miami Beach City Commission

CITY shall attend review meetings and assist CONSULTANT, as practicable, in obtaining approvals from noted review agencies by participating in negotiations with such authorities. CONSULTANT retains final responsibility for obtaining approval of all required applications, and for making agency required revisions to obtain necessary approvals. It is recognized by CITY that the various agency's review time and assessments based on interpretation are beyond the control of CONSULTANT, except for issues concerning the acceptability of the proposed design concepts and Consultant's ability to respond to review agency comments. CONSULTANT shall address and respond to comments received from the various reviews in writing, and implement requested revisions into the draft BODR, as directed by CITY, within fourteen (14) calendar days of receipt of comments, unless agreed to otherwise with CITY. CONSULTANT shall draft meeting minutes and forward them to CITY, who shall finalize and distribute accordingly.

Deliverables:

- Attend BODR review meetings with noted committees.
- Prepare draft meeting notes.
- Address comments and revise BODR accordingly.

Schedule: - Within 30 calendar days of draft BODR completion.

Task 1.8 - Final Basis of Design Report: CONSULTANT shall prepare a final BODR based on comments and revisions implemented during the reviews with the various CITY Divisions. The final BODR will serve as the basis for development of detailed design documents as discussed in Task 2.

Deliverables: - Prepare 25 copies of a final BODR.

Schedule: - Within 30 calendar days after completion of reviews noted in Task 1.7.

TASK 2 –DESIGN SERVICES

The purpose of this Task is to prepare of contract documents for the Project. **Only one sub-task of this Task, Task 2.1 - Field Verification of Existing Conditions, is included in this Scope of Services.** Task 2.1 requires that CONSULTANT perform a variety of forensic tasks to verify, to the extent practicable, existing conditions and the accuracy of base maps as required to successfully complete the Planning Phase.

To facilitate the implementation of a Public Information Program, CONSULTANT shall provide electronic files of all Project documents, as requested by CITY.

Task 2.1 - Field Verification of Existing Conditions: CONSULTANT shall perform a detailed topographic survey of the existing Project areas to be impacted by construction activities under the scope of this Project. The survey shall be performed by a Certified Land Surveyor in the State of Florida and shall meet the minimum technical standards identified in Chapter 61G17-6, FAC. All survey files shall be prepared in AutoCAD Version 14 format with a layering system as approved by CITY. As a minimum, the survey shall address the following:

- Topographic survey shall consist of establishing a baseline with 100-foot stations, and identify sectionalized land corners. Baseline of survey shall be tied into the sectionalized land monuments.
- CONSULTANT shall set benchmarks at convenient locations within the Project site to be used during both the design and construction phases of the Project. At a minimum, permanent benchmarks shall be set at corners of the Project site.

CONSULTANT shall tie-in at least two existing County benchmarks. The benchmarks shall be derived from existing government benchmarks and be carried into the proposed system using Second Order, Class II procedures. A full listing of benchmark locations shall accompany the survey data.

- CONSULTANT shall locate and identify all the existing surface improvements / topographic features that are visible within the Project site, such as the following:
 - Existing valve boxes, water / electrical meter boxes, electrical pull boxes, telephone / cable risers, fences, hydrants, roof drains, etc.
 - Aboveground and underground utilities, invert elevations of accessible underground utilities, wood / concrete utility poles, culverts, guardrails, pavement limits, headwalls, endwalls, manholes, vaults, mailboxes, driveways, side streets, trees, landscaping, traffic signage and any other noted improvements. Survey shall identify fence material / height, landscaping plant materials and driveway construction materials. Landscaping materials with a trunk diameter greater than 6 – inches in diameter shall be identified.
 - All buildings including overall dimensions and finished floor elevations.
- Survey limits shall include the entire Project site and an additional overlap of 10 feet on either side of the property line.
- Topographic survey / base map shall be prepared in AutoCAD version 14.0 and submitted on a 3.5-inch diskette or CD with one copy on 24-inch by 36-inch bond paper to the CITY. CAD mapping shall be performed to a scale of 1:1 in the World Coordinate System. Text size shall be 100 leroy for a final product at 1=20 units.
- Indicate geometry of perimeter private property plats (inclusive of fences, landscaping and driveways).

Upon completion of the survey, CONSULTANT shall forward the same to the following agencies with a request to mark / identify their respective utilities on the survey base map. CONSULTANT shall coordinate this effort with each agency in an effort to identify the location of all underground utilities. CONSULTANT shall incorporate utility owner markups / edits into its

survey base map file. CONSULTANT shall contact the following entities and request that they each verify locations of their existing improvements in the affected areas:

- Florida Power and Light
- BellSouth
- Charter Communications
- Natural Gas Utility
- Miami-Dade Public Works Department
- Miami-Dade Water and Sewer Authority
- Others as deemed necessary by the City

Based on the collected data, CONSULTANT shall develop base plans showing the existing conditions of the Project site which will be used both in the Planning Phase covered by this Agreement and, if applicable, in the subsequent design phases of the Project (as may be negotiated, if at all, in a future agreement between CITY and CONSULTANT for design and construction phase services). The site plans shall include an overall key map and partial plans scaled at 1-inch equals 20 feet. CONSULTANT shall illustrate proposed improvements on the site plans based on available planning documents provided by CITY. A subsequent review shall be scheduled with CITY staff to determine locations where additional field verifications, via "Soft-Dig" underground identification services, may be implemented. As a minimum, a \$5,000 underground improvements verification budget allowance shall be included under this Scope of Services. Unused amounts in this allowance shall be credited back to the CITY upon completion of the Services contemplated in this Agreement.

CONSULTANT shall prepare final site plans based on the information gathered herein. Copies of base maps shall be distributed to CITY.

- Deliverables:** - Perform forensic work as noted to develop final base maps. Deliver five (5) sets of site plans to the CITY.
- Schedule:** - Task shall be performed concurrently with Task 1 and will be completed within 90 working days of the issuance of Notice to Proceed for Task 1 which will include authorization to proceed with this Task.

TASK 6 - REIMBURSABLES

Task 6.1 – Reproduction Services:

CONSULTANT shall be reimbursed at the usual and customary rate for reproduction of reports, contract documents and miscellaneous items, as may be requested by CITY. An allowance of \$6,150 has been allocated to this project. Unused amounts in this allowance shall be credited back to the CITY at the completion of the project.

Task 6.2 – Travel and Subsistence:

Not Allowed.

Task 6.3 – Surveying:

CONSULTANT shall arrange for and coordinate the efforts of licensed surveyors to prepare a topographical survey of the project limits which meets the requirements of sub-task 2.1. CONSULTANT's compensation shall be a reimbursement of actual costs. CONSULTANT shall solicit no fewer than 3 proposals from properly licensed and qualified surveyors, recommend the desired firm, and receive approval from the CITY prior to engaging the surveyor. CITY will pay for actual survey cost.

Task 6.4 - Geotechnical Evaluation

CONSULTANT and CITY shall jointly determine if any geotechnical evaluations need to be undertaken to properly complete the Project Planning Phase. If such evaluations are required, CONSULTANT will identify the kind and quantity of evaluations needed and assist the CITY in obtaining said evaluations. No allowance for the cost of any said evaluations is included in the

CONSULTANT COMPENSATION portion of this AGREEMENT. If it is determined that the best method of obtaining any required evaluations is to have the CONSULTANT procure them, CITY and CONSULTANT will negotiate the required additional Reimbursable Expenses and amend this AGREEMENT as required.

Task 6.5 – Underground Utility Verification: CONSULTANT shall employ the services of an underground utility location service in an effort to better identify existing underground conditions where work is to be performed. Actual locations shall be as directed by CONSULTANT. Cost shall be limited to a \$5,000 not-to-exceed amount. Unused amounts in this allowance shall be credited back to the CITY at the completion of the project.

Task 6.9 – Design Sub Consultants:

CONSULTANT shall arrange for and coordinate the efforts of design sub consultant expertise as such expertise is needed and determined by the evolution of the project program requirements and/or site conditions. A not-to-exceed fee amount of all such design sub consultant costs is included in Schedule B to be drawn upon as needed. CONSULTANT's compensation shall be a reimbursement of actual costs for design sub consultants.

Minimum Drawing Requirements

The composite set of drawings to be produced shall contain sufficient information and detail to clearly define all proposed improvements in terms of quantity, quality and location. All drawings and details shall be to a scale sufficient to be legible. The CONSULTANT shall propose a drawing list to be reviewed and approved by the CITY.

Site Plans

Existing Conditions – Site Survey – to include property lines, sidewalks, pavement, landscaping, existing site improvements and buildings, fencing, lighting, overhead and underground utilities, and dimensions of buildings, pavement areas, fencing, etc.

Demolition – Clearly depict existing conditions to be demolished or modified.

Proposed Improvements – Clearly depict all new design elements including sidewalks, pavement areas, landscaping, buildings, recreational courts and fields, fencing lighting, utility modifications, replacements, and additions, etc.

Enlarged Site plans - Where necessary to clearly define Project requirements, provide enlarged site plans for specific areas of improvement.

Building Drawings

All buildings to be renovated or constructed shall be detailed in the Project drawings in sufficient detail to clearly and thoroughly depict the intended improvements or modifications.

Attachment B

SCHEDULE B
CITY OF MIAMI BEACH, FLORIDA
SOUTH POINTE PARK IMPROVEMENT PROJECT
ITEMIZED SCHEDULE OF COMPENSATION

TASK NO.	TASK DESCRIPTION	PROJECT DIRECTOR / PRINCIPAL	PROJECT MANAGER / PRINCIPAL	SR. L ARCHITECT	ASSOCIATE	DESIGN STAFF	DESIGN STAFF	CLERICAL	TOTAL HOURS	TOTAL COST	TOTALS PER PHASE
1	PLANNING SERVICES										
1.1	PROJECT KICK-OFF MEETING										
1.1.1	Attend kick off meeting with City		4		4				8	\$1,080	
1.1.2	Review reference material from City		8	8	24	16			56	\$5,800	\$6,880
1.2	SITE RECON. VISIT & DEVELOPMENT OF PLANNING STRATEGIES										
1.2.1	Visit site with City		8		8				16	\$2,160	
	Review with City possible planning strategies		8		8				16	\$2,160	
	Undertake site analysis - physical feature conditon		8		24				32	\$3,680	
	Undertake user survey - 24hr weekday & 24hr weekend day		8		24				32	\$3,680	\$11,680
1.3	"VISIONING" SESSION & DEVELOPMENT OF CONCEPTS										
	Research & review reference material unavailable from City		8	8	16	24			56	\$5,640	
	Prepare material for session		8	8	24	16			56	\$5,800	
1.3.2	Attend half-day session with City		4		4				8	\$1,080	
	Attend meeting with Collaborative group		8		8				16	\$2,160	
	Minute agreed scope, schedule & cost goals				1				1	\$95	
	Facilitate design subconsultant charrratte		16		16				32	\$4,320	
	Meet with Utility Companies/Agencies		4		4				8	\$1,080	
1.3.3	Development of (3) three design concept alternatives	8	32	16	40	40			136	\$16,840	
1.3.4	Develop budget level cost estimate for each alternative		16	8	16	16			56	\$6,440	\$43,455
1.4	REVIEW MEETING PRIOR TO COMMUNITY DESIGN WORKSHOPS										
	Attend meetings with City and review (3) concept alternatives & costs	6	6		6				18	\$3,570	
	Minute agreed scope, schedule & cost goals for workshops				1				1	\$95	
	Build working model to scale		1		32	32			65	\$5,615	
	Refine workshop presentation materials	4	40		40	40			124	\$15,100	\$24,380
1.5	COMMUNITY DESIGN WORKSHOPS										
1.5.1	Conduct Workshop #1 - (3) options for discussion	4	8		8	8			28	\$4,060	
	Minute issues from workshop				1				1	\$95	
	Attend meeting with regulatory agencies		4		4				8	\$1,080	
	Refine design based on results	4	24	16	40	40			124	\$14,140	
	Modify working model to scale		1		8	16			25	\$2,135	
	Refine workshop presentation materials		16		16	16			48	\$5,520	
1.5.2	Conduct Workshop #2 - prefered option for discussion	4	8		8				20	\$3,460	
	Minute issues from workshop				1				1	\$95	
	Refine design based on results	4	24	16	24	24			92	\$11,420	\$42,005
1.6	BASIS OF DESIGN REPORT (draft)										
	Prepare analysis plans		1		16	16			33	\$2,895	
	Prepare concept plans	1	1		16	16			34	\$3,220	
	Show demolition, utilities		1		16	16			33	\$2,895	
	Show building/structures		1		16	16			33	\$2,895	
	Show landscape, lighting		1		16	16			33	\$2,895	
	Prepare phasing plans		4		16	16			36	\$3,420	
	Prepare text & graphics		32	16	40	40		50	178	\$16,740	
	Prepare schedule & estimate & phasing		8	8	8	8			32	\$3,680	
	Prepare permitting strategy		4		4				8	\$1,080	
	Facilitate design subconsultant review & input	4	16		16				36	\$5,620	
	Make changes to report		8		16	16			40	\$4,120	\$49,460
1.7	REVIEW OF BASIS OF DESIGN REPORT (Draft) WITH CITY DIVISIONS										
	(1) Mtg. W/ Planning, Parking, Building, Parks, Works, Fire & Police		4		4				8	\$1,080	
	(1) Mtg. W/ Design Review Board		4		4				8	\$1,080	
	(1) Mtg. W/ City Commission	4	4		4				12	\$2,380	
	Minute issues from meeting				2				2	\$190	
	Agree on changes to report and if additional meetings are required	1	2		2				5	\$865	\$5,595
1.8	BASIS OF DESIGN REPORT (final)										
	Make changes to report		8		32	32			72	\$6,840	
	Final review of report	2	2		8	8			20	\$2,360	\$9,200

SCHEDULE B
CITY OF MIAMI BEACH, FLORIDA
SOUTH POINTE PARK IMPROVEMENT PROJECT
ITEMIZED SCHEDULE OF COMPENSATION

TASK NO.	TASK DESCRIPTION	PROJECT DIRECTOR / PRINCIPAL	PROJECT MANAGER / PRINCIPAL	SR. L ARCHITECT	ASSOCIATE	DESIGN STAFF	DESIGN STAFF	CLERICAL	TOTAL HOURS	TOTAL COST	TOTALS PER PHASE
2	DESIGN SERVICES										
2.1	FIELD VERIFICATION OF EXISTING CONDITIONS										
	Set requirements & hire surveyor		2						2	\$350	
	Survey								0	\$0	
	Review draft survey		2		5				7	\$825	
	Revise draft survey with Utility Companies/Agencies input		1						1	\$175	
	Review with City need for "soft dig" subsurface investigation		1						1	\$175	
	"Soft dig" if necessary								0	\$0	
	Complete sealed survey		1						1	\$175	\$1,700
6	OTHER DIRECT COSTS										
6.1	REPRODUCTION SERVICES									\$6,150	
6.3	SURVEYING ALLOWANCE									\$60,000	
6.5	UNDERGROUND UTILITY VERIFICATION ALLOWANCE									\$5,000	\$71,150
	SUBCONSULTANT ALLOWANCE - local landscape architect									\$17,000	
	SUBCONSULTANT ALLOWANCE - architect									\$15,000	
	SUBCONSULTANT ALLOWANCE - civil engineer									\$5,000	
	SUBCONSULTANT ALLOWANCE - marine engineer									\$5,000	
	SUBCONSULTANT ALLOWANCE - environmental/ecologist									\$8,000	
	SUBCONSULTANT ALLOWANCE - lighting designer									\$8,000	
	SUBCONSULTANT ALLOWANCE - playground designer									\$5,000	\$63,000
	TOTAL HOURS	46	380	104	651	488	0	50	1719	\$328,505	\$328,505
	TOTAL FEE ESTIMATE	\$14,950	\$66,500	\$11,960	\$61,845	\$36,600	\$0	\$2,500	\$194,355		
	Hourly Rates	\$325	\$175	\$115	\$95	\$75	\$60	\$50			

RESOLUTION TO BE SUBMITTED

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

A Resolution approving the settlement of City liens on real property located at 834-836 1st Street, Miami Beach, Florida, resulting from City utility bills and from Special Master Case Numbers 92-301/JC00001111/JC990815 and providing that the lien in the amount of \$3,363,433.52 be settled for the amount of \$290,000.00.

Issue:

Shall the Commission approve this lien settlement?

Item Summary/Recommendation:

The property currently has outstanding liens in the amount of \$3,363,433.52 that date back to as early as 1992. With the exception of some outstanding utility bills, most of the liens are Code related and have to do with property maintenance violations including weeds, graffiti, building exterior maintenance and improper licensing. The lien amount has increased to such a large sum given the very long period of time that fines have run on a daily basis and because multiple fines have been assessed against the property. While the individual nature of each of the different violations for which the property has been cited are not life threatening, the property has been somewhat of an eye sore and a nuisance in the neighborhood which in recent years has redeveloped and changed significantly in character. The \$290,000.00 settlement amount is recommended as a fair penalty given the nature and duration of the violations in the affected area.

Advisory Board Recommendation:

--

Financial Information:

Source of Funds:	Amount		Account	Approved
	1			
	2			
	3			
	4			
	Total			

Finance Dept.

City Clerk's Office Legislative Tracking:

Robert C. Midaugh

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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AGENDA ITEM

127F

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SETTLEMENT OF CITY LIENS ON REAL PROPERTY LOCATED AT 834-836 1st STREET, MIAMI BEACH, FLORIDA, RESULTING FROM CITY UTILITY BILLS AND FROM SPECIAL MASTER CASE NUMBERS 92-301/JC00001111/JC990815 AND PROVIDING THAT THE LIEN IN THE AMOUNT OF \$3,363,433.52 BE SETTLED FOR THE AMOUNT OF \$290,000.00.**

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS

The owner of the property located at 834-836 1st Street has requested a settlement of outstanding liens on the property in anticipation of a sale of the property.

The property currently has outstanding liens in the amount of \$3,363,433.52 that date back to as early as 1992. With the exception of some outstanding utility bills, most of the liens are Code related and have to do with property maintenance violations including weeds, graffiti, building exterior maintenance and improper licensing. The lien amount has increased to such a large sum given the very long period of time that fines have run on a daily basis and because multiple fines have been assessed against the property.

The property is a one story small warehouse operation that has been used by a variety of tenants over the period of time for which fines have been assessed. The owner is not a local property owner and has used a succession of agents on the owner's behalf to manage or maintain the property. A sale to local investors is pending on the property in the amount of \$2.8 million. The buyers plan to alter the use and will undergo the required development review process. The end use has yet to be finally determined by the potential buyers.

The property has been held by the current owner since 1980 and was originally purchased for \$185,000.00. During the time the property has been held by the current owner it has been refinanced.

In discussing the amount for a recommended lien settlement, the City has maintained that it will recoup its outstanding hard costs and would then be amenable to a settlement of significant proportion on the viable Code liens. The attached lien statement identifies the various liens that are associated with this property in the total amount of \$3,363,433.52. In the lien statement, the City will recommend full recovery of items numbered 1 through 6 which represents outstanding City costs or bills in the amount of \$10,302.10.

In discussing the remaining three liens, the City and the property owner are in agreement that the lien in the amount of \$1,027,999.17 would be settled by paying the appropriate occupational license fees due and the triple fee penalty that is associated with occupational licenses. The settlement amount for the failure to secure occupational licenses lien would be \$10,700.00.

The remaining two Code liens would be consolidated into one and the City would then settle the older of the two, since an argument could be made that both citations could have been addressed as one at the time of original issuance. This would drop the \$1,772,400.76 lien and the City would then recommend settlement of the remaining \$552,731.49 lien at 50%.

When the sum of the above item is rounded to account for interest accumulated over the months of negotiation, the total recommended settlement amount is \$290,000.00.

While the individual nature of each of the different violations for which the property has been cited are not life threatening, the property has been somewhat of an eye sore and a nuisance in the neighborhood which in recent years has redeveloped and changed significantly in character. The \$290,000.00 settlement amount is recommended as a fair penalty given the nature and duration of the violations in the affected area.

JMG\RCM\sam

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CITY OF MIAMI BEACH

1700 CONVENTION CENTER DRIVE, MIAMI BEACH FL 33139-1824



Telephone (305) 673-7590

Facsimile (305) 604-2428

June 8, 2003

Property Address: 834-836 1st ST

RE: ROBERT DATORRE

STATEMENT# 3758

IB

PLATE # 682-683

THIS IS TO CERTIFY THAT THE FOLLOWING MUNICIPAL LIENS OR ASSESSMENTS ARE DUE AND PAYABLE AGAINST:

LOTS 13 THRU 16 BLK 52 OCEAN BEACH ADDN NO 3

Charge Type	Account Number	Service Period	Due Date	Current Amount Due	Delinquent Amount	Interest Due	County Fees	Total Due
1) UTILITY BILL:***					BK22040PG3834	\$461.37	\$16.00	\$477.37
a) Water	508156	NONE		\$0.00	BK18408PG2856	\$759.00	\$16.00	\$775.00
b) Sewer		NONE		\$0.00	BK17345PG1674	\$450.08	\$16.00	\$466.08
c) Storm Water		SEPT/04	09/29/04	\$103.68				\$7,532.01
d) Waste Impact Fee		SEPT/04	09/29/04	\$16.00				\$16.00
Flat rate for Waste & Storm Water of \$92.80 & \$16.00, respectively.								
4) DEMOLITION & BOARDING-UP LIENS								\$0.00
5) RESORT TAX LIENS **								\$0.00
6) CITY BILLS	CB46220	FAIRHOPE INVESTMENTS		BK17614P0582	\$539.46	\$480.18	\$16.00	\$1,035.64
7) SPECIAL MASTER *	*92-301	S PT WAREHOUSE & MINI STORAGE			\$1,027,999.17	BK15859P4572-73		\$1,027,999.17
	*JC00001111	FAIRHOPE INVESTMENTS NV			\$1,772,400.76	BK19418P2065-66		\$1,772,400.76
	*JC990815	FAIRHOPE INVESTMENTS NV			\$552,731.49			\$552,731.49
*PLEASE CALL								
8) SPECIAL ASSESSMENT								\$0.00
9) PERMITS, CERTIFICATE OF USE, LICENSES								\$0.00
10) OTHER								\$0.00
TOTAL AMOUNT DUE								\$3,363,433.52

* if needed call phone # (305) 673-7181

** if needed call phone # (305) 673-7447

ADDITIONAL BILLS MAY BE DUE FROM DATE OF LAST REGULAR READING TO DATE OF FINAL READING. ALL DELINQUENT CHARGES BEAR A PENALTY OF 10%. RECORDED LIENS BEAR INTEREST AT 12% PER ANNUM. UNPAID AND/OR DELINQUENT CHARGES TOGETHER WITH ALL PENALTIES IMPOSED THEREON, SHALL REMAIN AND CONSTITUTE SPECIAL ASSESSMENT LIENS AGAINST THE REAL PROPERTY.

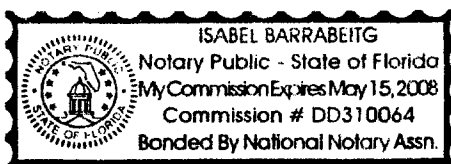
I hereby certify that this Lien Statement is a true and accurate reflection (as of the date of this Lien Statement) of those Liens and/or City Bills (per the files of the City of Miami Beach Finance Department) due and owing the City of Miami Beach regarding the subject property.

PATRICIA D. WALKER, CHIEF FINANCIAL OFFICER

BY

DEPUTY

SUBSCRIBED AND SWORN TO before me this 15 day of Sept, 2004.



NOTARY PUBLIC, STATE OF FLORIDA
DADE COUNTY

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE SETTLEMENT OF CITY LIENS ON REAL PROPERTY LOCATED AT 834-36 1ST STREET, MIAMI BEACH, FLORIDA, RESULTING FROM CITY UTILITY BILLS AND FROM SPECIAL MASTER CASE NUMBERS 92-301/ JC00001111/JC990815 AND PROVIDING THAT THE LIEN IN THE AMOUNT OF \$3,363,433.52 BE SETTLED FOR THE AMOUNT OF \$290,000.00.

WHEREAS, the property at 834-36 1ST Street, Miami Beach, Florida, has accumulated fines that date back to as early as 1992 as a result of City utility bills and Special Master Case Numbers 92-301/JC00001111/JC990815 in the amount of \$3,363,433.52; and,

WHEREAS, with the exception of the outstanding utility bills, most of the liens are Code related and have to do with property maintenance violations including weeds, graffiti, building exterior maintenance and improper licensing; and,

WHEREAS, the lien amount has increased to such a large sum given the very long period of time that fines have run on a daily basis and because of multiple fines being assessed against the property; and,

WHEREAS, since the violations for which the property has been cited are not life threatening, and the property has been somewhat of an eye sore and a nuisance in the neighborhood, the \$290,000.00 settlement amount is recommended as a fair penalty given the nature and duration of the violations; and,

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that a settlement for the outstanding City liens on real property located at 834-36 1st Street, Miami Beach, Florida, in the amount of \$3,363,433.52 resulted from certain City utility bills and from Special Master Case Numbers 92-301/JC00001111/JC990815 is hereby approved upon payment of the sum of \$290,000.00 to the City of Miami Beach; and further that the City Manager shall be authorized to execute any and all necessary documents to complete such lien releases and settlement subject to the approval of the Special Master.

PASSED and ADOPTED this ____ day of _____, 2005.


ATTEST:

City Clerk

Mayor David Dermer

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

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City Attorney *RD* 1-7-05
Date

**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

A Resolution Accepting the City Manager's Recommendation Pertaining to the Ranking of Firms for Valet Parking Services, Authorizing the Administration to Enter into Negotiations, and Authorizing the Mayor and City Clerk to Execute an Agreement for Valet Parking Services at the Miami Beach Convention Center, Jackie Gleason Theater of the Performing Arts, and Other City Property as May be Required.

Issue:

Shall the Commission Adopt the Resolution?

Item Summary/Recommendation:

On July 23, 2004, RFP No. 34-03/04 was issued which resulted in the receipt of proposals from Selig Parking, Inc d/b/a AAA Parking; Boca Parking Systems, Inc.; Gold Star Parking, Inc.; Imperial Parking (U.S.), Inc.

Due to the expiration of the contract with Gold Star, a month to month agreement has been agreed to between the City and Gold Star Parking, Inc. until the competitive proposal process is complete.

An Evaluation Committee appointed by the City Manager reviewed the proposals, listened to presentations from the proposers, engaged in question and answer sessions with each of the proposers, then scored and ranked the four proposals.

Selig Parking, Inc. d/b/a AAA Parking's presentation and proposal emphasized their being a 'hospitality company' as opposed to a parking company. All of their employees go through hospitality training, with the belief their image as the first point of contact as a client arrives at a venue represents the venue. The Committee Members all found the firm and their presentation to be professional in terms of their customer friendly attitude, appearance requirements and experience with large facilities. It was pointed out that AAA Parking is innovative in their ideas, the firm has a local management presence, as well as a strong parent company that is debt-free. In addition to their qualifications, AAA Parking's proposal represented the highest financial return to the City of the four proposals.

Four out five Committee Members ranked Selig Parking, Inc. d/b/a AAA Parking as number one. Due to there being no close second choice in the scoring, four out of five Committee Members voted to recommend only negotiating with the top-ranked firm of Selig Parking, Inc. d/b/a AAA Parking. The City Manager concurs with the Committee's recommendation relative to Selig Parking, Inc. d/b/a AAA Parking being the top-ranked firm, but believes that it is in the City's best interest to also recommend a second-ranked and third-ranked firm in the event negotiations are unsuccessful with the top-ranked firm of Selig Parking, Inc. d/b/a AAA Parking.

ADOPT THE RESOLUTION.**Advisory Board Recommendation:**

N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
	\$0.00	This is a revenue generating service with no cost impact to the City	
Finance Dept.			

City Clerk's Office Legislative Tracking:

Gus Lopez, ext. 6641

Sign-Offs:

Department Director	Assistant City Manager/CFO	City Manager
SF		JMG

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AGENDA ITEM

A76

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 34-03/04 TO MANAGE AND OPERATE THE VALET PARKING SERVICES AT THE MIAMI BEACH CONVENTION CENTER, JACKIE GLEASON THEATER OF THE PERFORMING ARTS, AND OTHER CITY PROPERTY AS MAY BE REQUIRED; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE TOP RANKED FIRM OF SELIG PARKING, INC. D/B/A AAA PARKING; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE AN AGREEMENT WITH THE TOP-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE SECOND-RANKED FIRM OF IMPERIAL PARKING (U.S.), INC.; AND SHOULD THE ADMINISTRATION NOT BE ABLE TO NEGOTIATE WITH THE SECOND-RANKED FIRM, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE WITH THE THIRD-RANKED FIRM OF GOLD STAR PARKING, INC.; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT UPON THE COMPLETION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

ADMINISTRATIVE RECOMMENDATION

Adopt the Resolution.

ANALYSIS

It is the City of Miami Beach's intent to retain the highest quality valet parking service for the patrons of the Jackie Gleason Theater of the Performing Arts, 1700 Washington Avenue, Miami Beach, Florida, at the Miami Beach Convention Center, 1901 Convention Center Drive, Miami Beach, Florida ("Convention Center"), and at other sites within the City of Miami Beach. The City of Miami Beach ("City") has contracted valet parking services for the Jackie Gleason Theater and for the Convention Center since October 1, 1986, and the City wishes to continue providing such parking services to patrons of both facilities, even when events are scheduled simultaneously at both facilities.

The Mayor and City Commission at its January 14, 2004 meeting authorized the Administration to issue a Request for Proposals (RFP) for the valet parking services at the Miami Beach Convention Center, Jackie Gleason Theater of the Performing Arts, and other City property, as may be required. At that time, the existing concession agreement with Gold Star Parking Systems for valet parking service was to have

Commission Memo

**RFP 34-03/04 – Valet Parking Services at the Miami Beach Convention Center, Jackie Gleason Theater of The Performing Arts, and Other City Property as May Be Required
January 12, 2005**

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expired on September 15, 2004, with no options for renewal. This necessitated a competitive bidding process vis-à-vis the issuance of an RFP (Request for Proposals) in order to procure this service.

RFP PROCESS

On March 1, 2004 RFP No. 20/03-04 was issued and notices sent to over 30 firms, which resulted in the receipt of six proposals from the following firms:

Selig Parking, Inc d/b/a AAA Parking
AmeriPark, Inc. (Atlanta Valet Parking, Inc.)
Boca Parking Systems, Inc.
Gold Star Parking, Inc.
Imperial Parking (U.S.), Inc.
USA Parking System, Inc.

Upon review of the proposals, all six were deemed to be non-responsive for not meeting the minimum requirements. On June 28, 2004, letters were sent to the six firms advising them that the City Manager would be exercising his authority to reject all proposals and re-issue the proposal for this project.

On July 23, 2004, RFP No. 34-03/04 was issued with the minimum requirements modified so as to encourage competition, while at the same time addressing the needs of the City. This RFP resulted in the receipt of four proposals from the following firms:

Selig Parking, Inc d/b/a AAA Parking
Boca Parking Systems, Inc.
Gold Star Parking, Inc
Imperial Parking (U.S.), Inc.

Due to the impending expiration of the existing contract with Gold Star, a month to month agreement had been agreed to between the City and Gold Star Parking, Inc. until the competitive proposal process is complete.

On October 26, 2004 the City Manager via Letter to Commission No. 277-2004 appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

1. Miguel Beingolea, Parking Operations Manager/Off-Street Parking- CMB
2. Roamy Valera, Deputy Executive Director- Miami Parking Authority
3. Doug Tober, General Manager - SMG
4. Mitch Wentworth - Lincoln Road Marketing
5. Ed Ponder – South Florida Concierge Association
6. Adrian Gonzalez –David's Café
7. Joe Fontana – Convention Center Advisory Board

Ed Ponder and Adrian Gonzalez were unable to serve on the Committee due to conflicts with scheduling.

Commission Memo

**RFP 34-03/04 – Valet Parking Services at the Miami Beach Convention Center, Jackie Gleason Theater of The Performing Arts, and Other City Property as May Be Required
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The City Manager appointed Doug Tober as the Chair of the Committee.

The Committee convened on November 10, 2004 and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, and the Government in the Sunshine Law. The Committee then discussed the proposals and decided in order to make a fair recommendation, it would be beneficial to have the firms present an overview of their proposals to the Committee.

The Committee reconvened on December 6, 2004 to listen to presentations from the four proposers. After each presentation, the Committee engaged in a question and answer session with the presenters.

Upon completion of the presentations, the Committee deliberated each of the proposals and the corresponding firm's presentation.

Boca Parking Systems, while deemed eager and responsive, is a small, young, firm with limited experience in dealing with the type of venues the City requires valet services. It was discussed that Boca Parking Systems does well in Palm Beach County and has the valet business with the Palm Beach Convention Center, however the Committee believed the City's venues are the wrong place for a young hungry firm to attempt to expand their business.

Imperial Parking has been in the valet business for a number of years, however the firm lacks similar experience in South Florida. While the Imperial Parking representatives expressed a desire to expand into Miami and Miami Beach venues, there was no corporate representation at the meeting, given the impact this project would have on Imperial's business in this region. There was also no mention of customer service in their presentation.

Gold Star Parking, being the incumbent for the last several years, could not address any areas that they deemed needed improvement relative to their image, when questioned by the Committee. While the firm is familiar with the City's current situation, the client feedback has been that of a weak image due to poor signage, unkempt uniforms, and lack of courteous customer service. Doug Tober had summarized the feedback from the Convention Center's two largest shows over the years, indicating that Gold Star's service has consistently been rated poor, with little to no corrective action on their part. There was a lack of critical communication, and staffing-up for large events was a challenge. Other Committee Members, with the exception of Joe Fontana, all expressed Gold Star's lack of enthusiasm, lack of aggressiveness and lack of willingness to evolve with the City over the years. The presentation did not provide any new ideas and purported to remain status quo. Given this was the last year of a multiple year contract, it was pointed out that this was an opportunity for the firm to excel and have a banner year in terms of service. Instead, four out of five Committee Members indicated the customer service issues were too critical for complacency on the part of Gold Star, and believed it was time for a fresh approach.

Commission Memo

**RFP 34-03/04 – Valet Parking Services at the Miami Beach Convention Center, Jackie Gleason Theater of The Performing Arts, and Other City Property as May Be Required
January 12, 2005
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Selig Parking, Inc. d/b/a AAA Parking's presentation and proposal emphasized their being a 'hospitality company' as opposed to a parking company. All of their employees go through hospitality training, with the belief their image as the first point of contact as a client arrives at a venue represents the venue. The Committee Members all found the firm and their presentation to be professional in terms of their customer friendly attitude, appearance requirements and experience with large facilities. It was pointed out that AAA Parking thought 'outside the box' with their innovative ideas. The firm has a local management presence as well as a strong parent company that is debt-free. In addition to their qualifications, AAA Parking's proposal represented the highest financial return to the City of the four proposals.

The Committee was instructed to rank and score each proposal pursuant to the evaluation criteria established in the RFP, which was as follows (total possible 100 points):

<u>Evaluation Criteria/Factors</u>	<u>Weight</u>
▪ Proposer's Experience with Similar Contracts	25%
▪ Fixed Monthly Payments to the City	25%
▪ Completeness of Proposed Operational Plan	20%
▪ Qualification of Personnel/Staff Pattern	15%
▪ Evidence of Financial Stability	15%

The Committee then scored and ranked the firms as follows:

	Boca Parking		Imperial Parking		Gold Star Parking		Selig d/b/a AAA Parking	
	Score	Ranking	Score	Ranking	Score	Ranking	Score	Ranking
Miguel Beingolea	40	4 th	70	2 nd	53	3 rd	98	1 st
Roamy Valera	75	4 th	80	2 nd	80	3 rd	100	1 st
Doug Tober	65	2 nd	50	4 th	55	3 rd	90	1 st
Mitch Wentworth	61	4 th	70	2 nd	69	3 rd	92	1 st
Joe Fontana	45	3 rd	30	4 th	85	1 st	65	2 nd

Four out five Committee Members ranked Selig Parking, Inc. d/b/a AAA Parking as number one. Due to there being no close second choice in the scoring, four out of five Committee Members voted to recommend only negotiating with the top-ranked firm of Selig Parking, Inc. d/b/a AAA Parking.

The City Manager concurs with the Committee's recommendation relative to Selig Parking, Inc. d/b/a AAA Parking being the top-ranked firm, but believes that it is in the City's best interest to also recommend a second-ranked and third-ranked firm in the event negotiations are unsuccessful with the top-ranked firm of Selig Parking, Inc. d/b/a AAA Parking.

Commission Memo

RFP 34-03/04 – Valet Parking Services at the Miami Beach Convention Center, Jackie Gleason Theater of The Performing Arts, and Other City Property as May Be Required
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Attached are excerpts from the Selig Parking, Inc., d/b/a AAA Parking's proposal relative to their experience and qualifications, key personnel that will be involved in this project, and the proposed operational plan.

Also attached is a summary of the proposed revenue to the City from the four firms, as provided in their proposal packages.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution, which recommends the acceptance of the ranking of the firms and authorizes the Administration to enter into negotiations with the top-ranked firm of Selig Parking Inc. d/b/a AAA Parking; and should the Administration not be able to negotiate an agreement with the top-ranked firm, authorizing the Administration to negotiate with the second-ranked firm of Imperial Parking (U.S.), Inc.; and should the Administration not be able to negotiate an agreement with the second-ranked firm, authorizing the Administration to negotiate with the third-ranked firm of Gold Star Parking, Inc.; and further authorizing the Mayor and City Clerk to execute an agreement upon the completion of successful negotiations by the Administration.

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Commission Memo
 RFP 34-03/04 – Valet Parking Services at the Miami Beach Convention
 Center, Jackie Gleason Theater of The Performing Arts, and Other City
 Property as May Be Required
 January 12, 2005
 Attachment

Proposed Revenue to the City of Miami Beach from Valet Parking Services

Selig Parking Inc. d/b/a AAA Parking	Imperial Parking (U.S.), Inc.	Gold Star Parking, Inc.	Boca Parking Systems
Fixed Monthly Payment to the City of \$6525 per month, totaling \$78,300 per year	Fixed Monthly Payment to the City of \$4500 per month, totaling \$54,000 per year	Fixed Monthly Payment to the City of \$5000 per month, totaling \$60,000 per year.	Fixed Monthly Payment to the City of \$5417 per month, totaling \$65,000 per year
Plus 45% of gross parking revenue exceeding \$225,000 per contract year	No further revenue to City	No further revenue to the City	Or \$2.00 per vehicle parked



We're At Your Service.

August 18, 2004

City of Miami Beach
Procurement Division
Miami Beach City Hall
1700 Convention Center Drive, Third Floor
Miami Beach, FL 33139

Attn: Gus Lopez, CPPO, CPPB
Procurement Director

Re: Response to RFP No. 34-03/04

Dear Mr. Lopez:

I am pleased to submit our proposal to provide valet parking services at the Miami Beach Convention Center, Jackie Gleason Theater of the Performing Arts, and other city property as may be required. We would welcome the opportunity to present our ideas in person and our formal presentation can be arranged at your request.

As a subsidiary of Selig Enterprises, Inc., Atlanta, Georgia, we are the oldest and most stable parking management company on the East Coast. We are in service to many office, hospital, university, hotel and event facilities, such as the Orlando Centroplex which includes the TD Waterhouse Centre, Bob Carr Performing Arts Centre, Tinker Field, Expo Centre and the Florida Citrus Bowl. AAA Parking also operates the Southeast's largest convention center, the Georgia World Congress Center and Georgia Dome in Atlanta. In South Florida, AAA Parking serves the Miami Marriott Airport, the Eden Roc Resort & Spa, the Cadillac Courtyard and Courtyard Miami Beach. Many of our hotel operations include large convention center space, such as Marriott's largest property, the Orlando World Center Marriott and Convention Center. I invite you to please call the Marriott's General Manager, Peter Kacheris at 407-239-4200, for more information about our performance over the past six years. I also invite you to contact any of the references in our proposal.

Attached is AAA Parking's response to RFP #34-03/04. Please call for questions or clarifications to our proposal at 404.525.5959 or fax to 404.522.0925. My e-mail address is rwilliams@aaaparking.com.

I look forward hearing from you.

Sincerely,

A handwritten signature in cursive script that reads 'Ron Williams'.

Ronald F. Williams
President

Company Structure:

Name and Officers of the Firm:

Selig Parking, Inc. d/b/a AAA Parking

376 Spring Street NW
Atlanta, Georgia 30303
a Georgia Corporation

Phone: 404.525.5959

FAX: 404.523.3553

Ronald F. Williams, President

Robert C. Riddle, Vice-President

Mason Mehrjerdian, Vice-President

Ownership and Principal Officers:

Selig Enterprises, Inc.

1100 Spring Street, N.W., Suite 550
Atlanta, Georgia 30309
a Georgia Corporation

Phone: 404.876.5511

FAX: 404.875.2629

S. Stephen Selig, III, President and Chairman

Cathy Selig, Vice-President

Company History

AAA Parking has been in continuous business since the founding of the company in 1956. Throughout its forty-eight year history, AAA Parking has fulfilled every contractual obligation including all leases and management agreements. By generating maximum revenue for the owner and by providing the utmost personal service to the customer, AAA Parking has established long-term business relationships with many property owners and investors in the Southeastern United States.

One of the South's oldest and most established real estate holding companies recognized the outstanding attributes of AAA Parking over twenty years ago. Selig Enterprises, Inc. acquired AAA Parking in 1981. The combination of the two historical Atlanta entities assembled one of the most financially sound parking companies in the country. This stability, along with both companies' dedication to personal service and unparalleled reputation for integrity and professionalism in operations, comprises the Southeast's most prestigious parking management company.

Presently AAA Parking operates nearly 200 properties in Tennessee, North Carolina, Georgia, Alabama, Florida and Missouri. These properties consist of multi-level garages and decks, surface lots and event parking operations. Also included are over 17 upscale hotel valet and self-parking locations. Altogether, AAA Parking manages over 50,000 parking spaces daily.

AAA Parking has also been of service to many of Atlanta's major local or international events during the past several years. In fact, the company served as the official parking operator for the 1996 Summer Olympic Games Park-n-Ride Lots. This high magnitude event included hiring and training of over 450 additional personnel and managing over 35,000 additional parking spaces. Besides the Olympic Games, AAA Parking served also as the main official parking operator for XXXIV Super Bowl (January 31, 2000 in Atlanta). These extremely successful endeavors for the City of Atlanta are firm testimony of AAA Parking's ability to manage any caliber of parking management project.

Statement of Proposed Operational Plans

Staffing Plan

AAA Parking shall implement an operational plan with one objective: To provide the highest level of valet parking services to patrons of The Miami Beach Convention Center, Jackie Gleason Theatre of the Performing Arts and other City property in the most efficient manner possible.

This plan shall be accomplished with a staff of professionals trained to provide excellent service within the valet parking industry. The proposed project manager, Manuel Grossy, has twenty years of parking industry experience and has managed multiple properties in South Florida including the Eden Roc Resort & Spa, Miami Airport Marriott, and two Courtyard by Marriott properties in Miami Beach, as well as various restaurants and nightclubs.

Diego Ceballos and Weslin Liman are proposed to provide daily supervision of all operations. Both men have ten years of experience in hotels and both are degreed in hospitality.

AAA Parking will utilize only experienced valet attendants for the City of Miami Beach project. An extensive training program is required of all valet personnel prior to beginning employment regardless of previous experience. AAA Parking realizes the importance of proper training to maintain high service standards. Every employee is subject to a ninety-day probationary period, where zero tolerance rules apply.

Valet parking attendants will be scheduled as needed for the events at the various locations. While staffing requirements will vary based upon the size of the event, adequate staffing will be provided to ensure no customer will wait more than two minutes before being assisted and no more than 10 minutes for delivery of their vehicle. The following staffing ratio shall be utilized based upon the number of cars expected:

Operations Manager	1 per event	Supervisor	1 per 50 cars
Valet Attendant	1 per 15 cars	Cashier	1 per 100 cars

Additional staffing may be added with minimal notice. More than 150 AAA Parking employees are located in the South Florida area.

Statement of Proposed Operational Plans

Equipment

AAA Parking shall purchase, at its sole expense, two Park-O-Mate Controller Series II Revenue Control Systems. The CSII system is the most versatile revenue control system designed specifically for valet parking operations. Using bar code tickets, AAA Parking will effectively manage the City of Miami Beach's valet parking operations with this sophisticated and versatile equipment. Traffic flow will be more effectively managed and customers will be properly advised of rates and amount being charged via the CSII's display panel.

The CSII system shall be installed in a portable steel valet parking attendant podium built expressly for valet parking operations. The portability of the system shall enable AAA Parking to rapidly adjust to changes in the venue schedule. AAA Parking's managers will have the necessary control and flexibility to adjust to these demands.

Communication

AAA Parking shall use NEXTEL two-way radio/cell phones for communications between the valet ramp position and the designated parking areas. The NEXTEL system radio/telephones will enable the operation to provide the most efficient service and reduce wait times for customers.

Statement of Proposed Operational Plans

Customer Refunds

AAA Parking shall maintain a 100% customer satisfaction goal. However, in the event a customer is subjected to a wait of more than 15 minutes for the delivery of their car during any standard event, a full refund shall be provided. Location supervisors shall also be empowered to immediately review any customer complaint and refund any dissatisfied customer. Furthermore, customer complaints received by the AAA Parking corporate office shall be reviewed in an expeditious manner and refunds provided along with a written, formal apology letter from the corporate office customer service manager.

Refunds to customers shall be at the expense of AAA Parking and will not be deducted from the guaranteed monthly payment to the City of Miami Beach.

Personnel Regulations And Standards

- All personnel shall present a positive and professional appearance and demeanor when conducting the business of the Facilities.
- All personnel shall maintain good grooming standards.
- All personnel shall wear uniforms that display the name of AAA Parking. Uniforms shall be clean and pressed.
- All personnel shall wear nametags and an official City of Miami Beach photo identification badge.
- All personnel shall be responsible for the neat and orderly upkeep of their workstation or attendant booth.
- All personnel shall be trained in the use of revenue control equipment and proper maintenance of such equipment.
- All personnel shall accurately prepare and submit financial and ticket reports at the conclusion of each shift and submit collected revenues concurrent with such report.
- All personnel shall be able to complete daily cash reports, inspection reports and related management reports (as applicable to individual responsibility levels).
- All personnel shall be trained in customer service.
- All personnel shall be able to effectively converse, read and write in English.
- All personnel shall have the ability to accurately and efficiently solve mathematical equations.
- All personnel shall provide accurate directions and general information to the public.
- All personnel shall be trained in CPR and emergency procedures.
- All personnel shall understand their role as an ambassador of, and partner to the City of Miami Beach.
- All personnel shall have a thorough understanding of City parking policies.
- All personnel shall be familiar with the location, operating hours and parking rates for the City parking facilities.
- All personnel shall be bonded and insured.

Parking Operation Standards

- All personnel shall be professional and courteous in the performance of their duties.
- The Facilities shall be attended as per the event schedule.
- The Facilities shall be sufficiently staffed at all times. In the event of a call off, the Facility supervisor shall provide an immediate replacement.
- All personnel shall be required to participate in monthly staff meetings.
- AAA Parking shall supply the City with a 24-hour contact listing.
- AAA Parking shall respond in writing to complaints received by the City within 24 hours.
- AAA Parking shall supply adequate initial training and on-going training to all personnel to assure the highest quality of service to parking patrons. All personnel shall be properly trained and advised of company and City policies regarding conduct.
- AAA Parking shall supply all personnel with an Employee Handbook and Operation Manual.
- AAA Parking shall perform a background check on all of its employees, including psychological and/or aptitude examination, as part of the hiring screening process. AAA Parking shall conduct further screening at the request of the City.

Training and Performance Evaluation

AAA Parking has the ability to effectively and expediently train personnel to execute their responsibilities in a professional manner. AAA Parking hires only personnel possessing the skills necessary for quality performance. AAA Parking employees must maintain good public relations with clientele and ensure a professional image for the Nashville Downtown Partnership. All training will meet with any directives set forth by the administration.

Management Training

On the first day of employment, management employees attend an orientation program. The Human Resources department covers the following topics:

- Company history
- Review of employee hand-book
- Company performance and opportunities
- Company activities and services
- Benefits
- Ethics

As a continued portion of the new hire orientation a member of the senior management communicates the following guidelines of public relations:

- Appearance, attitude, and conduct
- Rules and regulations
- Communications
- Professionalism

AAA Parking realizes that each property maintains different equipment and procedures. Therefore, it is a necessity to provide a training program that effectively prepares management personnel to execute their responsibilities in a professional manner. The program consists of three days of extensive training in AAA Parking management procedures including the following:

Administrative procedures:

- Staffing
- Disciplinary actions
- Audits
- Payroll
- Inspections

Report preparation:

- Report procedures
- Daily reports
- Accident reports
- Log book
- Incident and lost ticket reports
- Workmen Compensation reports

Property management:

- Introduction to property management authority
- Rules and regulations
- City ordinances regarding parking operations
- Facility familiarization
- Emergency situations
- Question and answer session

In addition to the training, each management trainee will be assigned to work with another member of management for a minimum of five days. At the completion of this training, the supervisory personnel will submit a written evaluation of the trainee to determine if the trainee is capable of being independently assigned.

Hourly Employee Training

Hourly personnel are presented with a similar orientation on the first day. The topics covered by the Human Resources department are:

- Company history
- Company performance and standards
- Review of employee manual
- Appearance, attitude, and conduct
- Communication
- Professionalism
- Rules and regulations

AAA Parking believes that the key to properly training employees is to make each new employee aware of all company procedures as well as property management procedures. In order to accomplish this task it is necessary to devote an entire training session on policies and procedures. This two-day session includes the following subjects:

- Payroll
- Promotions
- Disciplinary actions
- Evaluations
- Safety awareness
- Inspections and audits

One of the most vital functions of a cashier or attendant is accurate reporting. AAA Parking reinforces this duty by our report writing instruction session:

- Daily reports
- Register tape report
- Ticket count
- Lost ticket report

Recruiting

AAA Parking selects and hires those individuals who demonstrate a sincere desire to be in service to others. Recommendations from present personnel, periodic newspaper advertisements, and solicitations from various college campuses constitute our basic recruitment procedure. A prospective employee is processed through three interviews, one each with the Operations Manager and City Manager, on final interview with both managers present. Prospects must pass a basic test designed for simple mathematics and reading, and each must be able to speak fluent English. All references are called with past employment verified; all prospects are subject to a security interview. All new hires are on a thirty-day trial basis where on the job training is administered by a supervisor and an experienced cashier. Specifics of our liability insurance provide for employee fidelity at \$400,000 per employee. AAA Parking receives many compliments on the courtesy, efficiency, and excellent manners of our employees.

Hourly employees are hired and paid according to experience and level of expertise. After one year each individual is eligible for paid holidays and one week of vacation. After three years full medical, dental, and life insurance benefits are available. The policy of AAA Parking is to promote from within; thereby allowing all employees an equal chance for mobility into higher positions with increased pay. It is the practice of AAA Parking to hire, train and promote employees without discrimination because of race, religion, color, political affiliation, physical disability, national origin, sex or age. We have a most diverse group consisting of over 1200 employees.

AAA Parking maintains compliance with all local and state Equal Employment Opportunity laws and regulations.

Transition Plan

Outline of Requirements

Shown below is an outline utilized by AAA Parking upper management when establishing a new property.

I. EMPLOYEES

A. Hiring

1. Place ad/update voicemail message
2. Interviews - new hires
 - a. Background check/application complete
 - b. New hire forms
 - c. All documentation complete
 - d. Uniform measurements
3. Interviews - transfers
 - a. Transfer request/approval
 - b. Payroll code changes
 - c. Uniform measurements

B. Training

1. Training sessions: Group
2. Training sessions: Individual

C. Uniforms

1. Order non-stocked sizes if necessary
2. Distribution
 - a. Pants/shorts
 - b. Shirts
 - c. Name tags
3. Photo ID badges

D. Human Resources/Orientation

1. Employee Packets
 - a. Handbook
 - b. Letter of Welcome
 - c. Time card
 - d. Insurance package
 - e. Uniform deduction forms
2. Input to Payroll System: File Number/Location Number

II. ACCOUNTING

A. Bank Account

1. Open Bank Account
 - a. Memo to Selig Enterprises
 - b. Signature cards
 - c. Order checks
 - d. Order deposit slips
 - e. Order endorsement stamp

B. Set Up G/L System

1. Assign property and bank code
2. Assign payroll number
3. Memo to Selig

C. Tickets and Forms

1. Order tickets
2. Claim forms
3. Evaluation forms
4. Daily and Shift reports

III. EQUIPMENT AND SUPPLIES

A. Operations Manager's Office

1. Desk/chair/file cabinet
2. Bulletin board
3. Chart board
4. Office supplies
5. Log book

B. Business Cards for Operations Manager

C. Telephone & Pager for Operations Manager

D. Cashier Booths

1. Countertop/chair
2. Fee computer/register
3. Receipt paper
4. Miscellaneous office supplies
5. Calculator

E. Service & Maintenance Supplies

1. Jumper box
2. Lock-out kit
3. Custodial Supplies

10-Day Start-Up Plan

Day 1:

- AAA Parking selected as management company.
- Final decisions and negotiations before contracts are signed.
- Review of property to determine supply needs.

Day 2:

- Uniforms, tickets, shift reports, daily reports and other forms ordered.
- All office supplies ordered: desk, chair, file cabinets, etc.
- Formal announcement to current employees of transition.
- Offers to employees for employment with AAA Parking.
- Property safety inspection conducted.
- Management walk-through conducted.

Day 3:

- Interview sessions held for current employees.
- Initial supplies delivered to property.

Day 4:

- Open interview sessions held.
- Monthly account information obtained from owners/previous parking operator.

Day 5:

- Open interview sessions held.
- Monthly accounts administered.

Day 6:

- Payroll requirements initialized in system.

Day 7:

- Orientation and Training for all employees.

Day 8:

- Orientation and Training for all employees.
- Uniforms issued to all employees.

Day 9:

- Final delivery and set-up of supplies and equipment.

Day 10:

- AAA Parking begins operation.

RESOLUTION TO BE SUBMITTED

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**



Condensed Title:

Transmittal of Comprehensive Plan Evaluation and Appraisal Report to South Florida Regional Planning Council (SFRPC) for review and comment.

Issue:

Planning Staff recommends transmittal of the EAR to SFRPC for their review.

Item Summary/Recommendation:

Adopt resolution and instruct the Administration to transmit to SFRPC.

Advisory Board Recommendation:

Planning Board voted unanimously to recommend the City Commission adopt the resolution and forward to the SFRPC.

Financial Information:

Amount to be expended:

\$0

**Source of
Funds: N/A**



Finance Dept.

	Amount	Account	Approved
1			
2			
3			
4			
Total			

Sign-Offs:

Department Director	Assistant City Manager	City Manager
RGL for		

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AGENDA ITEM R7H

DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

TO: Mayor David Dermer and
Members of the City Commission

DATE: January 12, 2005

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: Evaluation and Appraisal Report Resolution

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TRANSMITTING THE EVALUATION AND APPRAISAL REPORT (EAR) TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL (SFRPC), FOR THEIR REVIEW, PURSUANT TO THE PROVISIONS OF SECTION 163.3191(8), FLORIDA STATUTES.

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission adopt the resolution and forward the draft EAR to the South Florida Regional Planning Council.

BACKGROUND

The EAR process is mandated by the state Department of Community Affairs in an effort to ensure that municipal and county comprehensive plans are kept up-to-date and relevant to the jurisdictions they represent. This process requires a review of the Goals, Objectives and Policies (GOPs) in the Comp Plan, looking at whether or not they have been implemented or achieved, looking at how relevant they are to the changed circumstances of the jurisdiction, and looking at whether or not they need to be amended, deleted or new ones created to adequately address the current issues facing the jurisdiction.

The results of the EAR being presented are that the Miami Beach Comprehensive Plan needs to be amended in many areas, both to conform to changes in State statutes, and to more efficiently and adequately address the major issues facing Miami Beach today. Several of the Elements (chapters) of the Comprehensive Plan will be merged into a new Element, another may be split to form new ones. Within the EAR document are many recommendations to delete or amend certain Objectives and Policies, too numerous to list here. The EAR process is not designed to answer questions or solve problems, it is designed to find problems and force the asking of questions, which will then be analyzed and debated in the

*Commission Memorandum
January 12, 2005
First Reading Public Hearing –Evaluation and Appraisal Report
Page 2*

following year, followed by the creation of solutions and the amending of the Comp Plan to address the questions and problems.

ANALYSIS

This resolution transmits the Evaluation and Appraisal Report of the Miami Beach Comprehensive Plan to the South Florida Regional Planning Council (SFRPC) for their review and comment. It will be returned to the City in January for staff to address the comments raised by the SFRPC, and then brought back to the Planning Board and Commission to be adopted, and transmitted to DCA for their approval.

The Miami Beach Commission and Planning Board identified the five major issues facing the City during their meeting in May of this year. Those issues were Traffic Congestion, Housing, Pedestrian/Bicycle Amenities, Incompatible Uses and Over-Development. The Comp Plan was analyzed specifically as to how it relates to these major issues, and how it measures up in addressing those issues. Again, the results are too long to mention here, and are contained in the EAR document. Once the EAR is adopted and approved by DCA sometime in the late spring of 2005, the amendment process will begin. The Goals should be reviewed again through a public process, following which staff will amend the Objectives and Policies to best address the recommendations of the public, the findings of the EAR, and the policy direction of the Commission. There is an 18 month period within which staff can make these changes, and amend the Comp Plan, and this period ends in October of 2006.

This item was discussed at the Planning Board hearing on November 23, and the Board recommended that the Commission adopt the resolution.

CONCLUSION

This resolution, along with the EAR document itself, will be submitted to the SFRPC following adoption.

ok *REL*
JMG\CMC\JGG\SAF
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RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TRANSMITTING THE MIAMI BEACH COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT TO THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL FOR REVIEW, PURSUANT TO THE PROVISIONS OF SECTIONS 163.3191(1) & (8), FLORIDA STATUTES.

WHEREAS, pursuant to Section 163.3191(1), Florida Statutes (F.S.), local governments are required to prepare and adopt Evaluation and Appraisal Reports (EARs) as one component of the local comprehensive planning process; and

WHEREAS, the City's Planning Department has prepared an EAR and is ready to transmit it for state review; and

WHEREAS, the City has the option of requesting that the South Florida Planning Council (SFRPC), the state regional planning agency, which has more direct knowledge of the issues affecting planning and development in South Florida, review the EAR; and

WHEREAS, the City's Planning Board at its November 23, 2004 meeting considered whether to recommend to the City Commission that the City request the SFRPC to review the City's EAR, and adopted a resolution so recommending; and

WHEREAS, the City Commission has considered the request to have the SFRPC review the Miami Beach EAR and hereby approves of the request; and

WHEREAS, the City Commission has been presented with the Draft results of the EAR and hereby approves of its contents.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA THAT:

The Miami Beach City Commission hereby approves of the transmittal of the Miami Beach Evaluation and Appraisal Report to the South Florida Regional Planning Council, and requesting that agency to undertake the state review of the EAR, and approves the contents of the EAR, and directs the Planning Director to forward this resolution and all appropriate documentation to the appropriate officials at the SFRPC.

PASSED AND ADOPTED THIS _____ day of _____, 2005.
ATTEST:

CITY CLERK

MAYOR
APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

M. H. [Signature]
City Attorney

1-3-05
Date

Evaluation and Appraisal Report
2000 Comprehensive Plan
of the City of Miami Beach

DRAFT

Prepared by:
Miami Beach Planning Department
December 2004

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Miami Beach Profile and Purpose of the Evaluation and Appraisal Report (EAR)

Miami Beach is a dense urban city located on a barrier island on the southeast coast of Florida. Incorporated in 1915, the City has grown from a resort island into a cosmopolitan city of 90,000, though tourism is still our largest industry. The southern portion of Miami Beach, commonly known as South Beach, is the primary dining and entertainment destination in Southeast Florida for tourists and residents of the greater metropolitan area.

The City comprises 7.1 square miles, with a 2004 permanent population of approximately 91,540 though this swells by tens of thousands during the winter, and with 18,000+ hotel rooms within the City, there are always thousands of tourists sharing our streets and shops. An internal analysis estimates that the average daily population in Miami Beach tops 175,000, including tourists, day visitors, and commuting workers.

The purpose of the 2005 EAR process is to evaluate the performance of the City's Comprehensive Plan over the past 10 years, and see what has been completed, what needs to be changed to reflect new data or circumstances, and what should be kept to further the goals of the City. Through a public participation process, 5 major issues were selected from the many issues raised by staff and residents. These 5 major issues were compared to pertinent areas of the Comprehensive Plan. As part of that comparison, the performance of the Comp Plan in addressing those issues was analyzed, as well as how well prepared the Plan is to address those major issues into the future.

Through the 2005-2006 EAR-based Amendment Round, staff expects to amend the Comprehensive Plan to incorporate new data, new circumstances and a new vision for how the City and its residents want to move forward into the remainder of the 21st Century. This vision may include a more active involvement in requiring housing for the City's work force residents, exploration of alternatives to ease traffic congestion, and the creation of a City wide network of bicycle and pedestrian paths to further empower the residents and visitors with increased mobility even during the most traffic-congested periods of the year.

Table 1: Population, Housing and Hotel Information, 1970-2004

	1970	1980	1990	2000	2004
Population	87,072	96,298	92,639	87,933	91,540
# Res. Units	51,856	64,561	62,413	59,723	62,750

1970-2000 figures from US Census. 2004 figures from University of Florida, Bureau of Economic and Business Research (BEBR).

Process to Create Miami Beach EAR

Miami Beach Planning Department staff worked on planning for the EAR process for several weeks prior to actually launching the project in February, 2004. Planning staff held several internal meetings to gather input on possible major issues, then approached various City Departments who have a stake in the Comprehensive Plan, and gathered more input on major issues. At this time, staff also asked for representatives from various City departments to work with the Planning Department on the EAR project through its initial phase of October 1, 2004.

Once the internal discussions had been held, three public hearings were advertised and held. These meetings were geographically dispersed within the City, one each in North, Mid and South Beach. The Mid and North Beach meetings had poor turnout, and so were re-advertised and held again at different locations in an attempt to garner more public input for the process.

At the conclusion of the public hearings, the Planning Board and City Commission held a joint meeting to hear a presentation and to discuss the input from all of the previous meetings. This was followed by the Scoping Meeting with State, Regional and local agencies and municipalities to discuss with them the major issues facing Miami Beach. On December 8th, at the request of the Planning Department, the City Commission adopted a resolution requesting that the South Florida Regional Planning Commission(SFRPC) review the Miami Beach EAR.

Planning staff, with the assistance of other Department representatives, spent the summer and early Fall preparing the Draft EAR for presentation to the Planning Board and City Commission in November and early December. Transmittal to the SFRPC for their review and comment will follow Commission approval.

Table 2: CMB EAR Public Meeting Schedule

Date	Location	Meeting Subject
March 26	Planning Dept.	Major issue input from Planning Staff
March 31	Planning Dept.	Major Issue input from City Dept. Representatives
April 15	Temple Menorah, North Beach	Major Issue input from residents
April 16	Nautilus Middle School, Mid Beach	Major Issue input from residents
April 19	Police Community Room, MBPD headquarters, South Beach	Major Issue input from residents
April 30	CMB City Hall	Scoping meeting, major issue input from agencies
May 4	Nautilus Middle School, Mid Beach	Major Issue input from residents
May 10	Normandy Shores, North Beach	Major Issue input from residents
May 12	CMB Commission Chambers	Joint City Commission/Planning Board Major Issues discussion

Local Jurisdiction Subject Matter

This section will contain the majority of the evaluation and appraisal of the Miami Beach Comprehensive Plan.

Changes in Population: Miami Beach permanent population figures are showing a slow increase, after 20 years of modest decline. From 1980 to 2000 the permanent population dropped from 96,288 to 87,933, but the number has been increasing since then, to a total of 89,312 in 2003. The 1994 EAR data prediction for the 2002 permanent population was 98,965.

As stated in the 1994 EAR, Miami Beach has unique circumstances that set it apart from the rest of Miami-Dade County, including a higher residential vacancy rate due to the significant seasonal influx of temporary residents and a large year round tourist population in the more than 225 hotels and their 18,000+ hotel rooms. These circumstances make projecting population, and the required services, much more difficult in Miami Beach than in the rest of the County, as can be seen by the differences between the projected and actual population. In the 1994 EAR, it was identified that due to the large number of tourists and seasonal residents, the demand on City services measured by concurrency and impact fee programs is much higher than the impact of only the 91,540 residents. Therefore, the City's consultant devised a formula to more accurately portray the need for services within the city. The permanent population was multiplied by 1.2, which gives a 20% increase in population to estimate required services and facilities.

Changes in Land Area: None. The City remains 7.1 square miles in size, and is bounded by three other municipalities, Biscayne Bay and the Atlantic Ocean. There is no change in size expected in the foreseeable future.

Vacant Land: Miami Beach has a relatively small amount of vacant land, only 140 acres on 437 parcels scattered throughout the city. These are parcels with no uses on them at all, not even parking or accessory uses. Park and recreation lands, and the conservation lands along the Atlantic Ocean beach front, are not included in the vacant land numbers. Planning staff is continuing to check the computerized data through windshield surveys. This is expected to be completed prior to forwarding the finished report to DCA in March 2005. In addition, there are many surface parking lots (350) covering 116 acres. Of those, 100 lots with some 47 acres are City-owned, and are therefore less likely to be developed than the 250 lots in private ownership. The City-owned land is affected by a City Charter amendment that requires a City-wide referendum to change the use. All of the vacant land discussed in this paragraph is fully developable and zoned for development.

Given the limited amount of vacant land, and the small size of the individual parcels, Miami Beach is not creating plans for these parcels specifically. These parcels are scattered throughout the city, and will be addressed by staff on an individual basis when development proposals are submitted for them, and will be subject to the existing development regulations and policies at that time.

Demands of Growth: While there has been a small drop in the City's permanent population during the last 15 years, the pace of development throughout the City has continued unabated, with many new high rise buildings being constructed, especially in the South Pointe area. Demands on services throughout the City have continued to rise due to a large number of seasonal residents, an improved tourist economy, the popularity of the nightlife/entertainment district and the impacts of through traffic on the constrained roadways of the City. Due to these

impacts, it has proven difficult to maintain the traffic Level of Service within the City. The concurrency system has been utilized, and tweaked by the addition of Transportation Concurrency Management Areas (TCMA), but the current traffic concurrency system is not controlling congestion, and alternatives must be developed to address these traffic congestion problems.

There are ongoing programs to upgrade the service infrastructure within the City, and the expenditure of Redevelopment Area (RDA) funds handled several large projects of upgrading streetscapes and other infrastructure costs in the South Pointe and City Center areas, where most of the growth and development occurred. South Pointe and the Sunset Harbor neighborhoods had some issues with the effects of some restaurants changing hours and uses to become quasi-nightclubs, but those issues are not associated with population or economic growth so much as with existing businesses modifying their uses to appeal to a broader spectrum of customer, and doing so within districts that have become overwhelmingly residential in the last decade.

South Beach has become the premiere entertainment destination in South Florida, and this has brought both positive and negative effects. Obviously the economic effect is a benefit, with increased funds spreading throughout the South Beach area and into City coffers. The negative effects include increased traffic congestion, as well as policing and sanitation issues near the entertainment establishments.

There have been requests for re-alignment of priorities in service provision throughout the city over the last decade. For example, with the completion of several high rise residential towers in the South Pointe area, the new residents are requesting enhanced trash and policing services around some of the newly created late night dining and entertainment establishments. Other portions of the City also have had complaints from residents regarding the provision of services. This has necessitated a re-alignment of service provision to ensure these concerns are addressed.

The build-out of the city at current zoning is not supported by the existing traffic infrastructure. There is no room to expand that infrastructure, and so alternatives must be found to handle this potential problem.

Location of Development: Staff's understanding of the intent of this section is a discussion focusing mainly on whether development occurred in areas where it was not anticipated, which may have caused problems in service delivery or infrastructure construction before the City was ready or willing to provide those services to that area. This does not apply to Miami Beach due to the fact that the city is a wholly urban environment. The City's redevelopment efforts during the early and mid-90s were focused mainly in the South Beach area, but since 1998 this has been shifting more and more along the Collins Avenue corridor and into the North Beach area. While many sites within the City have been redeveloped, there has been no greenfield development within the City since the 1994 EAR, and there are no greenfield sites left within our borders, other than parks and recreation facilities. Therefore we concentrate our answer on redevelopment activities, and whether or not that has occurred where expected, which is covered in a later section on RDA development.

Land Use-School Siting Coordination: The City of Miami Beach has 4 public schools located within its boundaries. There are 2 elementary, 1 middle and 1 senior high within the City, and Miami Beach students are also served by another school just outside the City boundaries, Treasure Island Elementary. Miami Beach High School is undergoing a 3-4 year renovation to

increase capacity and upgrade the facilities beginning in the summer of 2004. No new public schools are planned within the City limits.

The City and the School District have signed a County-wide Schools Inter-Local agreement which requires intensive cooperation and collaboration between the parties. This agreement includes, but is not limited to, the following: regular meetings between the parties; use of County population data by all parties for consistency; sharing of enrollment, development, growth and other pertinent information; requiring notification to affected parties of upcoming presentations at board or committee meetings; the local governments will invite the School Board to send a non-voting representative to any land use hearings where proposals to increase density are proposed; and encourage shared use of School Board, County and City facilities.

Table 3: Miami Beach School Information

School	Capacity	04-05 Enrollment	Notes
South Pointe Elementary	579	512	
North Beach Elementary	775	1200	
Treasure Island Elementary	881	944	
Feinberg-Fisher Elementary	903	660	
Biscayne Elementary	1310	1005	
Nautilus Middle	1340	1300	
Miami Beach High	2483	2262	Currently beginning renovation to increase capacity to 2823.

Capacity data from 2003 School Board facilities report. Enrollment and notes from Dec 2004 conversations with school officials at each school.

Water Supply Plan: The City of Miami Beach purchases its water from the County Water and Sewer Department (WASD) and does not need to implement a long range water supply facilities work plan since we have no such facilities. The City population is not expected to rise to such an extent that large increases in water or sewer demand will occur. The City does coordinate with WASD to ensure that they have enough capacity to supply our needs through the 20-year time horizon of the water supply plan.

Previous Reduction in Density Impairing Redevelopment Property Rights: In 1998-99, the Miami Beach City Commission adopted a FLUM amendment and applicable zoning map amendments that downzoned almost 277 acres of the City, thereby reducing the allowable density in those areas by 6464 housing units.

There are several alternatives for the redevelopment of non-conforming properties, should there be a need for reconstruction due to the effects of a disaster. However, should the property owner(s) voluntarily decide to demolish the existing structure and rebuild, the alternative to rebuild to pre-existing conditions would not apply, and the property would have to conform to existing regulations.

It should be noted that certain provisions of the City Charter would require City-wide referenda to resolve non-conforming floor area situations.

Some alternatives are as follows:

- Rebuild to pre-disaster building size.

- Rebuild to existing FLUM standards. The justification would be for public safety, to reduce overbuilding and densities in coastal high hazard area, which eases the congestion problems during emergency evacuations.

Evaluate Local Issues

Planning staff initiated a series of inter-Departmental meetings in February 2004, followed by 5 public meetings throughout the City of Miami Beach in March and April, all with the intent of gaining input on what the most important issues facing Miami Beach, from a Comprehensive Planning perspective. This input was then presented to the City Manager and his staff, and then to the Planning Board and City Commission in a joint session in May. As a result of this process, 5 Major Issues were selected: Traffic Congestion; Housing; Pedestrian and Bicycle Issues; Over-Development and Incompatible Uses. These issues will be evaluated to explain why they were chosen as the most important issues facing Miami Beach.

Traffic Congestion

Issue defined: Roads within the City, especially the north-south arterials, are congested an increasing number of hours every day.

Traffic congestion is an increasingly common problem in Miami Beach, as it is across the county, and indeed the country. While the densities and intensities of new construction are increasing over the existing land uses in some areas of Miami Beach, this is only one of the causes for this congestion. The primary causes are the popularity of the retail/entertainment destinations in South Beach, and the use of Collins/Harding Avenues and Alton Road as throughways for traffic coming from the barrier islands north of Miami Beach going to downtown Miami and points south. There are several reasons for this, including congestion on I-95, but also the limited number of convenient connection points between the barrier islands and the I-95 corridor plays a part. There is little the City can do to limit those types of trips, other than to urge the improvement of connections to the I-95 corridor from the more northern barrier islands, so that the traffic flows to that high capacity corridor instead of through Miami Beach. This issue has been mentioned at several public meetings to representatives of the Metropolitan Planning Organization (MPO) with the intent of getting a traffic study done, and a formal proposal has been initiated by the city Public Works Department for a Coastal Communities Transportation Master Plan. The City can also explore ways to inhibit the use of the Collins/Harding corridor as a throughway, such as returning them to two-way traffic, or changing paving surfaces to make fast driving uncomfortable. Attempting to reduce congestion by widening roads or creating new ones are not feasible, as there is simply no room to do so in this historic, built-out community.

Mass transit currently serves Miami Beach in the form of County buses and City Electrowave shuttles, and possibly in the future a streetcar system, but there is no certainty on its implementation as it is currently listed on Tier 2 of the MPO priority list. Public support for this streetcar system is evident from a City-wide referendum held in November 2004. Improved mass transit would certainly ease some of the congestion in the City, but only insofar as the transit system as a whole serves the needs of those commuting to and from Miami Beach in an efficient and timely manner. Currently, headways and bus maintenance are seen as problems by some residents that inhibit their ability to effectively utilize the transit system in place. A program is being discussed with Miami-Dade Transit Agency (MDTA) to replace the Electrowave shuttles with small diesel buses, and have MDTA run them in conjunction with their

whole bus system. Although specifically required by this Element, no transit rights of way have been purchased or protected.

Expanding alternative modes of transportation is another possible way to reduce automobile congestion. A citywide plan for a network of bicycle paths was completed some years ago, but has not been implemented yet. Various trails and paths are in place, but are not connected into a coherent whole that would allow anything other than recreational use. These alternative methods will primarily benefit roads in the denser areas of the City, but are likely to have less effect on the single-family areas where congestion is also a problem.

The current focus on providing amenities and incentives for people to use cars must be re-evaluated in light of the increasing congestion that is clogging the City streets. The only way to reduce congestion within the City is to make it easier to use some alternative method of transportation to enter or exit the congested area.

Possible options to explore: Shift focus from automobile to mass transit and bicycle/scooter amenities such as more parking/locking facilities for these small vehicles and fewer for visitors' cars; make dedicated bicycle lanes on non-arterial streets, and implement a program to create an unbroken network; limit development until there is a better concurrency method; coordinate with adjoining communities to reduce through traffic from their jurisdictions; utilize different parking options on wide streets to increase the number of spaces, which could offset the loss of spaces to bike lanes/wider sidewalks; decrease headways on bus routes to improve service and upgrade buses to those better suited to the dense urban areas; create incentives for the use of the 71st/79th Street causeway to the mainland, though other jurisdictions are exploring options which would make this suggestion less viable.

Public comments received on this issue are summarized below:

Efficiency/effectiveness of Mass Transit in CMB was questioned.

What are the trip generation effects of projects (commercial [large & small], entertainment uses and residential projects).

Circulation limitations due to chokepoints in the existing street network.

Impact of providing viable alternatives (pedestrian, bike, transit).

Ability to re-schedule construction away from peak hours.

Ability to affect drawbridge openings during peak hours.

Housing

Issue defined: Housing in Miami Beach is too expensive for residents who earn middle class incomes and below.

Service workers and white collar employees, are increasingly being priced out of the housing market. While Miami Beach assists some 5,000 households with their housing financial needs, there is a growing shortage of workforce housing for people of moderate and even middle income.

The rejuvenation of the entertainment industry has raised land prices. Building high rise condos for the very wealthy has taken land that could have been used for more-moderately priced mid-rise and low-rise buildings more in character with the surrounding neighborhoods. However, costs incurred by developers for land, insurance and construction often make it unprofitable to create even moderate income housing here.

The City contains approximately 62,750 residential units in 7.1 square miles, for an average density of 8838 units per square mile. There is a noticeable lack of new housing being constructed for moderate and low income residents of Miami Beach. There have been about 3000 residential units, mainly condominium, built in the last 4 years, but because of the influence of market forces, almost all of these units are planned for high income or very high income residents, and many are being purchased by foreign investors as a second or third home. Workforce housing is in short supply and not much is being constructed.

The Miami Beach Housing Authority, a non-profit organization, and the Housing Department for the City combine to offer assistance to approximately 5,000 residential units within the City, about 8.5% of the housing stock.

Possible options to explore: Create regulations that require different sizes of housing units and spaces for different levels of income in the same development; require mixed uses on ground floor of buildings over a certain height, to ensure life on the street during the day and evening; create incentives to re-configure existing buildings to create some larger units that would more easily support families.

Public comments received on this issue are summarized below:

There is a lack of new/renovated housing that is affordable for middle-income residents

Should a mix of housing types/sizes be required in new development?

Should there be incentives for middle income housing?

Assisted housing is perceived as too concentrated in North Beach.

Is maintenance of assisted housing sufficient?

Are design guidelines the answer to problems with demolition of single family homes and the subsequent creation of very large new houses that are out of scale with their surroundings?

Pedestrian/Bicycle Issues

Issue defined: There are insufficient facilities for pedestrians and bicyclists to navigate throughout the City in a safe manner.

There are many fragments of pleasant bicycle/pedestrian paths spread throughout the City, but as of yet there is no existing system that connects them all into a coherent system. Sidewalks are too narrow for the most part, and also obstructed by poles, signs, newspaper boxes, poorly tended overhanging landscaping and sometimes by street trees.

A proposed citywide map for a network of bicycle paths (Bicycle/Pedestrian Corridors Master Plan) was completed in 2000, and authority to begin implementing portions of it was authorized by the City Commission. The Public Works Department maintains the Master Plan, and conducts studies on various segments and corridors prior to moving forward with locating and constructing them. The Master Plan is included as Appendix C.

Possible options to explore: Move forward more quickly with implementation of the Master Plan; shift focus from automobile to mass transit and bicycle/scooter amenities such as more parking/locking facilities for these small vehicles; widen sidewalks on main streets; make dedicated bicycle lanes on non-arterial streets, especially the east-west streets, to connect the

many trail/path fragments together in a coherent manner; more shade trees need to be planted along city streets, especially around bus stops and intersections where people wait.

Public comments received on this issue are summarized below:

Lack of networks of bike trails.

Need more shaded and protected sidewalks, paths, lanes

Need to address links to neighboring communities.

Prioritizing pedestrian over automobile – widen sidewalks, move impediments such as signs, poles, etc

Need to address greenways. Location, funding, etc.

Over-Development

Issue defined: New development, both residential and commercial, has increased the traffic and demand for services in parts of the City.

Increased densities mean more residents attempting to use the available services, such as streets, parking and open space. Increased intensities mean more shoppers/patrons attempting to use the available services such as streets and parking. Both of these increases lead to worse traffic congestion. Some services, such as parking, can be provided by building vertically, but at a vastly increased cost. On a barrier island like Miami Beach, there is no room to widen roads or sidewalks, or to create a park in a greenfield area for the residents.

The actual construction of several high rise towers that were only in the planning stages between 1989 and 1994 has caused the public to express disapproval of them. The perception is prevalent that these new towers are a major cause of the traffic congestion and service delivery issues, and that has spurred City efforts to limit growth and density. Construction of these higher buildings does mean more long shadows extending across the city during sunrise and sunset hours, especially over the beaches, which are one of the main tourist attractions. There has also been an increase of over 1500 hotel rooms in Miami Beach since 1998, to a total of 18,369 in 2004. This allows more tourists and visitors to come to the City and utilize our services.

The City is implementing a new program of Growth Management, which may initiate a system of annual permits for large developments (50,000+ square feet) to ensure that development proceeds at a pace the City can manage, and that the development that occurs is a benefit to the residents of the City as a whole, and not a detriment. This system could supplement or replace the current concurrency standards if found to be effective in achieving the concurrency goals. This new program was submitted to a City-wide referendum, and passed, so support from the citizens is evident.

Possible options to explore: The downzoning of the mid-90's has limited the number of high- and mid-rise buildings that can be built in the future; switching from FAR-based development to a combined FAR and units-per-acre system may limit future high rise development; study the feasibility of downzoning other areas of the City.

Public comments received on this issue are summarized below:

Effectiveness of 1997-98 downzoning in managing growth (are heights/densities still too high?)

Concurrency problems-traffic, stormwater, sewer

Address issue of lot aggregation allowing buildings that are out of scale with the neighborhood.

Incompatible Uses

Issue defined: Due to the dense urban nature of Miami Beach, there are some commercial uses, especially late night entertainment uses, that are located too close to residential uses, and these uses negatively impact on the quality of life of residents.

Residents have been complaining about too much noise too late at night, especially during the work week, from nearby restaurants, bars and clubs staying open well after midnight. Also, the collateral effects of the entertainment industry such as trash, public drunkenness, and loud crowds filtering into the residential neighborhoods have been identified as a problem. This is true in several parts of the City, but especially so in the South Pointe area of the City where new high rise residential towers continue to be built, low rise buildings are being renovated, and restaurants are trying to change into night clubs later in the evening to keep the clientele they attracted for dinner.

Another impact is the encroachment of residential uses into non-residential areas where the likelihood of conflict is magnified with respect to incompatible uses. Applications to re-zone industrial land, as well as the changing character of the commercial uses within the light industrial districts, are evidence of this phenomenon. The reduction in available Industrial land is not a desirable prospect for the City. Miami Beach cannot expand into vacant land for less desirable uses, and so must maintain the small amount of industrial land currently within the City.

Some restaurants which traditionally have had low key entertainment as an accessory to their culinary use have begun transforming into nightclubs after 10 pm or midnight, with dancing and music. Several of these restaurants are located in close proximity to residential units, and have too low of a capacity to trigger the City's entertainment establishment approval procedures.

The City is currently studying several initiatives to mitigate the effects of these incompatible uses. These initiatives are: limiting entertainment uses in certain areas of the City; creating entertainment districts within which most such uses would be located; limiting the size of accessory uses depending on the size of the main permitted use; and creating a more useful definition of entertainment.

Possible options to explore: Changing the list of allowed uses within certain residential and mixed-use districts to disallow uses which are incompatible with nearby residential units; ensure that surrounding development, both existing and potential, is taken into account when reviewing new project proposals; limit outdoor entertainment uses to areas that do not have residential units nearby; changing the entertainment and neighborhood impact establishment regulations to encompass all such establishments, or lower the current threshold from 200 or 300 patrons to a number that will capture more of these places and regulate them more easily.

Public comments received on this issue are summarized below:

Address accessory uses usurping primary roles in commercial establishments.

Address noise-clubs, club-goers, street parties, etc.

Allowed disruptive uses in inappropriate areas in the past.

Should CMB encourage/discourage certain locations?

Objectives Related to Traffic Congestion

OBJECTIVE	TARGET	CONDITIONS WHEN PLAN ADOPTED	CURRENT CONDITIONS	COMMENTS
FLUE 4: Hurricane Evacuation	Seeking to lower resid. densities to ease evacuation congestion prior to hurricane. Requiring infrastructure to be provided concurrent with need created by development	Pop: 92,639 5 evac routes, 1 north and 4 west Concurrency systems not in place.	Pop: 89,312 5 evac routes, 1 north and 4 west Some intersections not maintaining LOS D during peak hours.	1999 Downzoning reduced potential pop. by approx. 13,000, units by 6464. Transportation infra cannot be increased except by mass transit. <u>Alternatives are being explored as current concurrency system not adequate to address all impacts.</u>
Traffic Circ 1: Level of Service	Require certain LOS for vehicle traffic on roadways within CMB.	Less traffic created by the entertainment industry and the office/retail sector.	Economy improved, much more traffic from entertainment ind and retail sector.	LOS D no longer achievable on continuous basis, some intersections lower.
Traffic Circ 6: TCMA's	Accept lower LOS for traffic in order to continue developing at urban densities and implementing alternative transportation modes.	Development being hindered by concurrency rules created with suburban areas in mind. Original rules not suited to urban centers.	Some intersections not maintaining LOS D during peak hours.	Traffic has increased so much that even TCMA's are not sufficient to mitigate it. A Multi-Modal transportation district is being evaluated for use in the South Beach area.
Ports 2: MacArthur Causeway	To maintain LOS on the MacArthur Causeway by not allowing development which would add to the traffic.	Industrial uses on Terminal Island, and Large lot residential dev. on the other 3 Islands (Palm, Hibiscus and Star)	Industrial uses on Terminal Island, and large lot residential dev. on the other 3 Islands (Palm, Hibiscus, Star)	This Objective may be amended, moved or deleted in the 2005-06 EAR-based Amendment round.
Housing 2: Large Units	Encouraging residential units with more bedrooms suitable for families.	Many small units, but few units large enough for families with children.	Roughly 5,900 res units with 3 or more BR exist within the City.	By encouraging larger units, traffic congestion may ease as fewer households inhabit the same size building and create fewer trips, but the impact is likely to be barely discernable in a city of 90,000.

Objectives Related to Housing

OBJECTIVE	TARGET	CONDITIONS WHEN PLAN ADOPTED	CURRENT CONDITIONS	COMMENTS
FLUE 1: Land Development Regs	To govern the uses/densities & intensities within CMB.	City was growing slightly in population, but somewhat stagnant in economy. Land/housing prices were lower than they are now, and not increasing at such a fast pace.	City dropped in pop, and now is growing slowly back to 1990 level, land/housing prices are increasing rapidly.	Downzoning reduced potential housing units in City, which hurts affordability, but there are still many hundreds of potential units that can be built or redeveloped. There are no incentives to provide lower cost housing.
FLUE 9: Redevelopment	To focus redevelopment efforts in two important areas of the City.	Blight? vacant lots? Boarded up buildings?	High end housing and retail shops are being built in South Pointe, and much redevelopment has been encouraged in the City Center RDA as well, mainly commercial. Few units are being constructed for moderate or lower income groups, however.	South Pointe RDA is being phased out, and the City Center RDA is moving forward on many residential and commercial projects. Cultural projects have been completed here as well.
Housing Element	Make available to house the projected population of the City sufficient housing units in a variety of types, sizes, locations and cost ranges, located in safe neighborhoods.	N/A	N/A	The whole Housing Element relates to the issue of Housing. The Objectives mentioned here will focus only on those that relate to the lack of moderate and lower income housing in CMB.
Housing 3: Affordable Housing	Have 16000 housing units affordable to low and moderate income residents. This is between 1/3 and 1/4 of the housing units in CMB.	Land/housing costs were much lower then, and this may have seemed like an achievable Obj.	Land/housing costs have skyrocketed. There are no incentives available to build moderate and lower cost housing. Only high end residential is being built in CMB.	Land/Housing prices have gone up so much that this Obj is now not achievable without: a huge expansion of the Housing Assistance program; <u>new incentives to create the housing, or changing LDR to require provision of such housing.</u>

Housing 4: Sub-Standard Housing	Reduce the number of sub-standard units and buildings within the City.	Many sub-standard units remain in CMB from hotel conversions and apartment subdivisions, the 1988 figure is 4944, of which approx. 11% were not fit for rehab.	No system to track how many sub-standard units are rehabbed. Number of units remaining sub-standard is unknown.	Repairing and rehabbing these units normally results in their being priced out of reach of the residents who lived there previously. Incentives need to be put in place to create moderate income housing.
Housing 9: Land for Housing	Maintain a certain percentage of CMB land available for housing.		There is land available for all the types of housing that are required by the Objective, however there are no incentives in place for anyone to create specific types of Housing, so little is being done except high end luxury housing.	The policies in this Obj have no actions to take, they are all written as if they were Objectives themselves. This Obj will need to be completely re-evaluated and amended with action policies.
Con/Coastal Zone 8: Density Limits	Direct pop increases away from coastal high hazard area.	Experience with emergency evacuations in early 1990s prompted a move to reduce pop densities on barrier islands to improve evacuation times.	1999 City downzoning reduced potential densities by 12,000 residents. Current policy is to prohibit density increases.	The whole CMB is a coastal high hazard area. No increases in res density are contemplated. This means prices will continue to rise as supply is limited.

Objectives Related to Pedestrian/Bicycle Issues

OBJECTIVE	TARGET	CONDITIONS WHEN PLAN ADOPTED	CURRENT CONDITIONS	COMMENTS
FLUE 10: Gateway Urban Design	To improve the appearance of the entrances to CMB	Entrances were not created or kept up to represent a favorable entrance to the City	Gateways are completed or under construction.	Only auto passengers considered when designing /improving the Gateways. Obj. failed to require planning/ impl. for ped/bicycle use.
Traffic Circ 2: Roadway Safety and Landscaping	Improve safety and aesthetics of CMB roadways.	Lesser traffic levels, lower funding levels due to weaker CMB economy, only scattered bicycle paths, unconnected foot trails.	More traffic, higher funding levels increase maintenance of landscaping, and more ped/bicycle paths being created/connected.	More emphasis on ped/bike safety and consideration must be included in this Objective.
Traffic Circ 3: Parking and Pedestrian/Bike Circulation	Providing Ped/Bike ways and networks in CMB.	Several plans had been created, but not yet implemented. This Obj. was pushing those plans to be implemented.	Several plans have been created, and one is partially implemented, another is undergoing a pilot program to determine feasibility/cost.	This Objective is weak, and will be strengthened with more specific plans and policies in the EAR amendments.
Traffic Circ 6: TCMA's	Increasing mobility options and encouraging redevelopment in more urban manner.	Traffic concurrency based on suburban model of development, unsuitable for dense urban areas. Traffic is always going to be an issue, so TCMA's implemented to reflect urban traffic realities	Traffic still increasing, MultiModal Transit District being studied as a possible alternative to TCMA, at least in South Beach.	Redevelopment has been encouraged, however additional mobility options have not been pursued, other than small unconnected ped/bike projects.
ROSE 1: Waterfront Parks	Complete the planned pedestrian/Bike systems along Atlantic Ocean, Collins Canal.	While individual parks and beaches have good ped/bike ways, there are no links between them.	Links are being established, especially along the Atlantic beachfront.	Progress is being made on this Objective.
ROSE 5: No Objective Name	Create networks of pedestrian and bicycle paths throughout CMB.	Several plans had been created, but not yet implemented. This Obj. was pushing those plans to be implemented.	Several plans are under progress, one is partially implemented, another is undergoing a pilot program to determine feasibility/cost.	Progress is being made, esp. along Atlantic Ocean, but other network links are not being planned/funded, esp east-west bike lanes.

Objectives Related to Incompatible Uses

OBJECTIVE	TARGET	CONDITIONS WHEN PLAN ADOPTED	CURRENT CONDITIONS	COMMENTS
FLUE 1: Land Development Regulations	To guide development in such a way as to create a high quality environment for residents and visitors.	City was growing slightly in pop, but somewhat stagnant in economy.	City dropped in pop, now is growing slowly back to 1990 level, and economy is growing.	Denied request to place resid adjacent to I1 uses, and adjusting other categories.
FLUE 2: Innovative Development	Increase mixed-use developments to encourage more pedestrian friendly neighborhoods.	Many buildings in mixed-use districts were single use.	Most new comm./office buildings are multi-use buildings with retail on the ground floor.	Mixed-use is not the only innovative development type. Obj needs to be more wide reaching.
FLUE 5.A: Land for Utility Facilities	To ensure land is available for necessary utility facilities.	Utilities put in place without screening or design considerations.	Utilities face extensive design review and screening req. to protect neighbors.	Unnecessary objective that will be removed during EAR amendments.
FLUE 6: Inconsistent Uses	Encourage dis-continuation of non-conforming uses.	There were uses existing in locations that are no longer appropriate or desirable.	There are uses existing in locations that are no longer appropriate or desirable.	When inconsistent or non-conforming uses go away, staff requires compliance with LDC to re-build.
Ports 1: Port Facility Expansion	No new airport or port facilities allowed, and expansion of the existing port is not allowed.	No room for new facilities, and existing Terminal Island uses preclude expansion.	No room for new facilities, and existing Terminal Island uses preclude expansion.	This Objective was instrumental in refusing a FLUC change to allow residential dev. adjacent to light industrial uses.
Housing 1: Housing Supply	Maintain housing supply, and prohibit non-residential uses from single and multi-family districts.		Some entertainment uses have intruded into Residential areas, and this conflict is a problem the City is attempting to solve.	One policy here directly contradicts other Comp Plan policies that encourage mixing appropriate uses. RM is appropriate for mixing small retail and commercial uses with res. units, <u>but not entertainment uses.</u>
Conservation/Coastal Zone 2: Natural Resource Protection	Protecting Conservation areas from degradation.		The Conservation areas along the Atlantic Ocean are being protected and improved. No development is allowed, other than public amenities. <u>There are concerns about temporary commercial events limiting public access and damaging the beaches.</u>	This Objective is a series of unconnected and unrelated policies. it needs to be cleaned up during the EAR based amendment round. Incompatible uses are prohibited.

Objectives Related to Over-Development

OBJECTIVE	TARGET	CONDITIONS WHEN PLAN ADOPTED	CURRENT CONDITIONS	COMMENTS
FLUE 1: Land Development Regulations	To govern the uses/densities & intensities within CMB.	City was growing slightly in pop, but somewhat stagnant in economy.	City dropped in pop, and now is growing slowly back to 1990 level, and economy is growing.	Over-Development began to be addressed by 1999 down-zoning, which reduced potential pop and associated traffic and other impacts, <u>though these are still problems affecting the Quality of life in MB.</u>
FLUE 4: Hurricane Evacuation	Reducing permitted pop densities to improve evacuation times for CMB residents.	Growing pop and realization that another Hurricane Andrew could cause severe damage and loss of life. Concurrency system was not in place.	Pop lower than 1990 level, but slowly growing. More than 170 acres downzoned, reducing potential pop by 12,000+ Planning Dept staff reviews every development for its concurrency impact, and levies a fee depending on the size of the development and its projected impact.	This Obj has been achieved.
FLUE 5: Concurrency Management	Ensuring that new development pays its share of the cost of improving services and infrastructure to support new residents/businesses.			This Objective is being implemented on a daily basis, <u>but alternatives are being explored as current concurrency system not adequate to address all impacts.</u>

Element Successes & Shortcomings

A shortcoming of the Comprehensive Plan as a whole, in every Element to one degree or another, is the lack of text specifically assigning responsibility to complete tasks and implement programs. Also, there is a wide array of duplicate policies and objectives throughout the Plan. There are housing policies in the FLUE, and HP policies in Housing and the FLUE, etc. There is no need to repeat the exact same wording in 2 or 3 different Elements.

FLUE:

This Element has been successful in guiding the Future Land Use decisions of the Planning staff over the past 10 years. A City-wide downzoning process was completed and adopted in 1999, resulting in the reduction of 6464 potential residential units, and approximately 13,000 potential residents, from the City's future development.

Traffic Circulation:

Success: The introduction of three Transportation Concurrency Management Areas (TCMAs) in 2000 led to the development of the Municipal Mobility Plan (MMP), which listed about four dozen projects which would enhance the traffic system within the City. Over 75% of those projects have been completed, and more are underway.

Shortcoming was lack of preparation for the increase in traffic that results in LOS D not being maintained during rush hour at certain intersections and along certain thoroughfares.

Mass Transit:

Success in that buses generally run at a much higher level than the 60 minute headways called for in this element. Also that a local circulator bus system called the Electrowave shuttle was started and continues running to this day with small electric buses running a circular route around South Beach. However, the Electrowave is only moderately successful, its shortcomings including maintenance shortfalls during its early years, low ridership, and operating hours that end too early at night, all of which contribute to a perception that it is not worth the expense.

Ports, Aviation:

This Element was successful in maintaining the operation of the cargo terminal during the period 2002-04 when a proposal was submitted to change the use of the cargo terminal into a residential tower with an accompanying marina. Partly due to Policy 1.2's language, and the surrounding land uses, that application was denied, preventing the encroachment of incompatible residential land uses onto Terminal Island.

Housing:

The City is one of the top producers of affordable housing among municipalities in Miami Dade County, providing assistance to residents in almost 8% of the city's stock of housing.

Relocation program for residents living in unsafe buildings has also been implemented successfully.

Shortcoming is that there are no incentives or requirements for the provision of new or redeveloped housing affordable to moderate and lower income groups.

Infrastructure:

Repair and replacement of the infrastructure called for in the plan is progressing well, The General Obligation bond projects are being completed throughout the city.

However, no real requirements are written here, no plans to ensure that a service line of a certain size is in place by a particular year to handle the projected population at that time in a

certain neighborhood. Having the Plan state that deficiencies will be made up without specifying the deficiencies or the remedies is too vague. The Public Works Department has conducted studies based on the projects that are currently in the development process, and is now in the planning stage of upgrading the sewer, water and stormwater systems to ensure capacity is available for these developments. The Comp Plan should be amended with more specific language.

Conservation/Coastal Zone:

Successful public improvements, such as the "Beachwalk" project and redevelopment of the "Street-Ends" that reach the Atlantic Ocean. Also, the City has been able to restrict and control those activities which would damage or destroy coastal resources by prohibiting them from sensitive areas.

A shortcoming is the lack of any language addressing the private commercial uses which sometimes dominate stretches of the beach for days at a time, disrupting normal public use of that space, and sometimes even damaging the beach itself by the preparation or teardown of the structures or storage spaces needed for the events.

Recreation & Open Space:

Some of the pedestrian/bike trails are being constructed and planned, though the city is not being addressed as a whole in connecting these disparate plans into a coherent network, at least at the implementation level.

Intergovernmental Coordination:

Miami Beach has an active program to ensure information about County programs that benefit city residents is available and distributed, as called for in Policy 1.1.

Capital Improvements:

This element has been successful in guiding the City of Miami Beach toward ensuring that all development and locations are served by public facilities at established levels of service. Since the adoption of this element, the City has made great strides in revamping its 5-Year Capital Improvement Plan and annual Capital Budgeting process. It has adopted and implemented a Concurrency Management Program and a TCMA. The City has authorized the issuance of \$92 million of General Obligation Bonds, \$54 million of Water and Sewer Bonds and \$52 million of Stormwater Revenue Bonds, which are helping to leverage additional funding from county, state and federal sources, as well as private investment.

A shortcoming of the Element is the overlap and duplication of policies and objectives within it. The Element should be re-organized to more efficiently state its objectives.

Historic Preservation:

Successfully increasing the amount of historic designations between 1989 and 2004 (adding nine historic sites, two historic structures, seven historic districts, and the expansion of three historic districts) has enhanced the cultural and historic environment of Miami Beach. In 1994, the City adopted the Lincoln Road Master Redevelopment Plan and created the Lincoln Road Task Force. To date, the master redevelopment plan has been successfully implemented for the area of Lincoln Road between Washington Avenue and Alton Road (completed in 1996). Some shortcomings are: the lack of incentives to encourage retention, preservation, and rehabilitation of historic properties;; and to encourage the retention, maintenance, and restoration of all historically significant City-owned properties; a lack of regulation to prevent "demolition by neglect"; and a failure to address the disconnect between the cities historic preservation efforts and the Federal Flood Plain building floor requirements.

Development within Redevelopment Areas (RDAs)

Miami Beach has two Redevelopment Areas within its boundaries, the South Pointe RDA and the City Center RDA. The South Pointe RDA was pre-existing at the time the 1989 plan was written, and the City Center RDA was started in 1993.

The FLUE called for the focus in the South Pointe area to be on residential development, especially townhouse and mixed residential and commercial uses. This has occurred, through the construction of several townhouse projects as well as townhouses as part of the high-rise residential tower projects. There have been small and large apartment projects, and commercial development mixed in on the ground floor of residential buildings, as well as stand alone commercial buildings. This RDA will expire on September 30, 2005, having completed its task of rejuvenating the South Pointe area.

List of South Pointe projects completed:

- Miami Beach Marina
- South Pointe Park
- Courts/Cosmopolitan Project (Land assemblage)
- Phase I Streetscape improvements
- 5th Street corridor improvements
- Portofino/SSDI
- Washington Ave extension

In the City Center RDA, the focus is more on creating uses that enhance the cultural and commercial aspects of the city. A large convention hotel, the Loews, was completed within this district, as well as a home for the Miami City Ballet, a new regional library, and a planned project to expand the New World Symphony and create a new park where today there are surface parking lots. There are residential neighborhoods within this RDA as well, and many buildings within them are being purchased and rehabilitated by private developers.

List of City Center projects completed or underway:

- Loews Miami Beach Hotel
- RDP Royal Palm Crowne Plaza Hotel
- Anchor Shops and Parking Garage
- Renovation of Lincoln Road
- Land assemblage for Miami City Ballet and Regional Library
- Renovation and expansion of Bass Museum
- Colony Theater project (underway)
- Beachwalk project (underway)

Compatibility with CH 163 F.S. and Section 9J-5, F.A.C.

There are several areas in the Miami Beach Comprehensive Plan which need amendments based on the changes that have taken place in Chapter 163 Florida Statutes (F.S.) and in section 9J-5 Florida Administrative Code (F.A.C.) These amendments will be accomplished during the 18 month EAR-based amendment round in 2005-06.

Changes related to both Ch. 163 and section 9J-5

The most obvious is the amalgamation of the Traffic, Mass Transit and Ports Elements into a combined Transportation Element. (Item #38 in DCA list of changes)

Other amendments required are:

Ensuring that all Objectives are measurable. (#2)

Infrastructure Element needs to have policy stating that public facilities and services need to be provided concurrent with impacts of development. Concurrency section from FLUE needs to be shortened to become a guide, moved to the Infrastructure Element, and the details can be moved to the Zoning Code. (#4)

Adding provisions for very-low-income residents to the Housing Element, as well as provisions to avoid concentration of assisted housing in limited areas. Also add provisions for streamlining permitting process and identify interlocal agreements for affordable housing. (#35)

Amending Capital Improvement Element for public participation provision, and add standards for managing debt. (#78)

Amend Inter-Governmental Coordination Element (ICE) to take into account plans of agencies with no land planning powers, and coordination with the County Water and Sewer Department (WASD) and the South Florida Water Management District (SFWMD) plans, and a method for determining if projects will impact state or regional facilities ie. parks, roads, etc concurrency? Also, process to modify Developments of Regional Impacts without removing development rights. (#36, #68, #111, #113 & #115)

Currently Miami Beach has a combined Conservation/Coastal Management Element(CON/CME). Given the increased emphasis on Hazard Mitigation and pre-Disaster planning, we may need to create a separate Coastal Management Element to encompass those areas. Also in the Con/CM Element, revise to include maintenance of ports, and amend to coordinate with SFWMD water supply plan. (#39, #65 & #114)

Amend LDRs to allow participation by school boards and colleges. (#61 & #110)

Specific section 9J-5 Changes

Transportation Concurrency Management Areas need to be added to the Future Land Use Map, and a comment indicating the whole City lies within the coastal high hazard area. (#8 & #41)

Housing Element to streamline permitting process. (#46)

Add policies to include school concurrency, in concurrency area, and in ICE. (#74 & #84)

Compatibility with State and Regional Comprehensive Plans

The State Comprehensive Plan has not changed since the 1994 EAR in any way that would require any changes to the Miami Beach Comprehensive Plan.

There are several areas in the Miami Beach Comprehensive Plan which need amendments based on the changes that have taken place in the South Florida Regional Planning Commissions (SFRPC) Strategic Regional Policy Plan (SRPP.) These amendments will be accomplished during the 18 month EAR-based amendment round in 2005-06.

The new SRPP for South Florida was adopted in September 2004, and the most recent version is being used to ensure the City Comprehensive Plan is up to date.

Following are the areas in which issues must be addressed.

Obj. 1: Education and Workforce Development, Policy 1.5 Adequate housing for workforce.

Obj. 4: Infrastructure, Policy 4.9 Procedures and schedules for expenditure of assessed impact fees.

Obj. 5: Schools, Policy 5.3 Discourage development that would exacerbate school overcrowding.

Obj. 6: Housing, Policy 6.1 Address needs of growing population whose income is moderate and below that is in need of housing.

Policy 6.9, Offer incentives to employers who assist employees buying homes close to work.

Policy 6.14, Program to condition approval for high revenue, high employee uses upon development of housing for moderate income and below residents.

Policy 6.16, Develop inclusionary housing programs.

Obj. 7: Water Conservation, Policy 7.14 Adopt xeriscape/Florida-friendly landscape guidelines.

Policy 7.14 Adopt water rate structure to create incentive to use less water.

Obj. 9: Energy, Policy 9.3 Increase use of alternative-fuel and hybrid vehicles.

Obj. 18: Emergency Planning, Policy 18.11 and 18.12 Ensure mitigation measures in place for small businesses and the City as a whole.

Obj. 19: Coastal High Hazard areas, Policy 19.7 Require development to mitigate hazard impacts and promote public safety and welfare.

Obj. 20: Connecting People & Places, Policy 20.14 Coordinate with other government agencies and the public to develop waterborne transportation systems.

Appendices

Appendix A – Public Input on Major Issues

Public Issues	Comments	Major Issue	Raised by:
Traffic	<p>Coordinating Signalization 63rd Str Flyover</p> <p>Chokepoints-study and remedy(Collins 63rd to 72nd 2 lanes) Flow & congestion, Entering/exiting on weekend nights/sp events is difficult Put loading zone in each block to reduce lane blockage Prohibit expansion of capacity, maintain LOS standards Limit construction traffic numbers/hours Enforcement- speed limits, double parking of commercial veh esp, and buses stopping in traffic lanes instead of at bus stops Discourage using MB as a through street to get to/from Miami Limit pedestrian "bump-outs" which narrow corners and eliminate lanes Limit drawbridge "on-demand" openings during rush hours – 15/20 min intervals Enforcement of loitering/open liquor/dog litter cleanup/illegal subdivision of SF homes laws Dirty streets/paint crosswalks Streetscaping- landscapes, bus shelters, signs/poles in sidewalk, street furniture</p>	Traffic Congestion	All
Quality of Life	<p>Maintenance – seawalls, sidewalks Repair work should be done at night in streets, not during rush hour, and in a timely manner, 42nd str torn up for months Improve capacity – sewer, Storm water backups, esp to relieve storm flooding Bridge and street repaving/repair Put utilities underground</p>	Quality of Life	All
Infrastructure	<p>Serve public better/faster/efficiently - Forms/applications online Improve planning process thru participatory websites, etc IT methods of improving traffic/transit info, noise monitoring</p>	Ped/Bicycle Infra Maint Public Works Concurrency	All
E-Gov't	<p>Attract national brands – Target, etc Lack of Affordable for middle class on down Assisted housing too concentrated in NoBe/poor maintenance Place assisted housing over public surface lots, lower cost Demo of SF/bldg MacMansions-need design guidelines</p>	Quality of Life	All
Econ Redev	<p>Roads, infrastructure, schools, libraries Fees leave the jurisdiction and are not returned by the collecting agency</p>	Econ Dev	North
Housing	<p>Attract water taxis/buses Incentivize development/Use ie Residential transit cards? Improve internal circulator-perception of ineffectiveness Have rail cross from Miami and Stop at Potamkin Site, transfer to improved Electro-Wave, have transit link Aventura and MB</p>	Housing	All
Concurrency		Concurrency	North, Middle
Transit		Traffic Congestion	All

Parks	Maint/landscaping/safety/homeless) Create dog and skate parks and playgrounds/tot lots Add some hard surfaces to parks for kids to ride bikes, rollerblade, etc Greenway creation Keep Par-3 course as it is, don't change to passive park.	Parks	All
Beach Issues	Erosion Beach walk Street ends – coordinate designs? Better Maintenance Safety/cleanliness/deter visitors/shoppers/enforcement of regs Not enough spaces, too many being rented out/bagged Too many garages Cabs parking on sidewalks Prioritize residents over visitors NoBe-be proactive, build what will be necessary given dev capacity Environmental practices “green roofs” Recycling/reuse of resources water, etc Bldg Materials	Inter-Gov Ped/Bike	North, Middle
Homeless Parking		Qual of Life Parking	North, Mid North, South
Sustainable Develop		EAR Based Amend	South
Disaster Mitigation	Control development – coastal high hazard area Stop over development Emergency crew response slowed by congestion, ie into Aqua. Post-disaster redevelopment?	Over-Dev Haz Mitigation	North, South
Pedestrian / Bicycle	Landscaping/shade trees Prioritize ped over auto – widen sidewalks, remove impediments such as signs, poles, etc Improve network of bike lanes/trails, utilize wide side streets to narrow lanes, add angled parking and bike lanes Improve areas to bike in neighborhoods Improve safety Flyovers/underpasses for crosswalks	Ped/Bike	All
Demographic	As avg age lowers, city services need to adjust pro-actively Shopping needs change, incentivize required uses Electricity distribution, etc	Quality of Life	South
Home Rule			South
Intellectual prop.	Using resident's knowledge to assist gov't and residents		South
Public-Private partnerships	Inter-agency, inter-group (ie Botanical garden-Convention Center), city-N'hood Assoc/HOA	Inter-gov coord	Middle, South
Economic Analysis	Spend equal time/resources on residential and commercial development		South
3 disparate districts	NoBe, Mid and SoBe Gov't has failed to address different needs/character/desires Different regs for different districts	Quality of Life	South
Shade tree canopy	Need more shade trees Need Shade master plan for City/Neighborhoods/districts	Ped/Bike	Middle, South

Over-development	Density/height-size of buildings – creates walls on south and west of city also FAR's too high Aggregation of lots allowing bigger buildings-out of scale/character Relates to Q of L issues Certain uses too concentrated in certain areas Create a "N'hood carry capacity" to limit concentrations of use Too many people, too many businesses cause traffic congestion	Land Use mix/comp	All
Special Events	City capacity to absorb these must be taken into account	Quality of Life	South
Commercial uses in Residential areas	Specify and limit what is allowed, and how much	Land Use mix/comp	South
Incompatibility of Uses	Prioritize resident's first Incentivize moving uses out of incompatible areas to more compatible areas Create "Moats" of buffer uses between res and noisy uses	Land Use mix/comp	South
Enforcement of existing regs	Q of L issues-hedges, private landscaping blocking sidewalks Limit hedge height as we do wall height. Disseminate City regs proactively	Quality of Life	All
Noise	From clubs, from club-goers after leaving clubs, from street-partiers, cars with booming stereos, restaurants acting as clubs; Incompatible uses in close proximity;	Quality of Life	City Staff
N'hood preservation	Incompatible development, out of context buildings Uses tend to get replaced with double/triple intensity/density Tax break to incentivize N'hood character, and limit the ability to increase density/intensity	Land Use mix/comp	Middle
Lack of emphasis on supporting / enhancing the Arts	A world class city needs high level of arts; not fully supported; land prices are hurting non-profits; Street Furniture	Ped/Bike	City Staff
Mis-perception about City population	90,000 residents, 25,000+ seasonal residents, over 120,000 visitors and tourists; funding from Fed/State/County is based on 90K residents, not enough to support the services needed for 200K+		Middle
N'hood issues	Perception that Dade-41 st Street ignored Construction(pub and Private) ignoring regs More communication between City and N'hood assoc/HoA's etc	N'hood svcs	City Staff
CPTED	Construct public and private projects with an eye towards reducing ability of criminals to use those sites.		Middle
Scooters	Encourage use of scooters to lower traffic congestion Incentivize use through free parking, like for bicycles, do not take parking spaces away from cars for motorcycle/scooter spaces		North

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Appendix B - Lexicon

For purposes of simplification and clarity, the following terms are explained for use throughout this document.

BayLink – Proposed light rail/trolley system to connect South Beach to downtown Miami and regional rail transit systems.

BR - Bedroom

CIE – Capital Improvement Element

Comp Plan – Comprehensive Plan

CON – Conservation

CON/CME – Conservation/ Coastal Management Element

CMB – City of Miami Beach

DCA – Department of Community Affairs

DRI – Development of Regional Impact

EAR – Evaluation and Appraisal Report

F.A.C. – Florida Administrative Code

FAR – Floor Area Ratio

FEMA – Federal Emergency Management Agency

FLUC – Future Land Use Category

FLUE – Future Land Use Element

FLUM – Future Land Use Map

F.S. – Florida Statutes

ICE – Inter-Governmental Coordination Element

LDC – Land Development Code

LDR – Land Development Regulations

LOS – Level of Service

Mid-Beach – Roughly the middle third of Miami Beach, from 25th Street north to 63rd Street. Almost wholly residential, with single family districts to the west of Indian Creek, and

condominium towers and hotels to the east along the Atlantic Ocean. One strong commercial corridor along 41st Street.

North Beach- Roughly the northern third of Miami Beach, from 63rd Street north to the City border at 87th Street. Mainly residential, with a strong commercial corridor along 71st Street, and another strong commercial corridor along Collins Avenue south of 75th Street. North Miami Beach is a separate municipality that is not adjacent to Miami Beach, so the use of that term must be carefully controlled when speaking of the City of Miami Beach.

RDA – Redevelopment Area

ROSE – Recreation and Open Space Element

SFRPC – South Florida Regional Planning Council

SFWMD – South Florida Water Management District

South Beach – The bottom third of Miami Beach, south of 25th Street. Mainly dense multi-family in the center, with some single family neighborhoods as well. The entertainment heart of South Florida, as well as a strong commercial component surrounding the multi-family center. Hotels occupy most of the eastern coast, while condominiums are the predominant use on the southern and western shores. The Lincoln Road pedestrian mall connects the strong commercial corridors of Alton Road on the west side, and Collins Avenue/Washington Avenue corridor on the east, while 5th Street does the same in the south, where the MacArthur Causeway connects to the city.

South Pointe – The portion of South Beach which is located south of 5th Street.

SRPP – Strategic Regional Policy Plan. Regional plan created by SFRPC.

Sunset Harbor Neighborhood – The northwest corner of South Beach, north of Dade Boulevard and west of Alton Road.

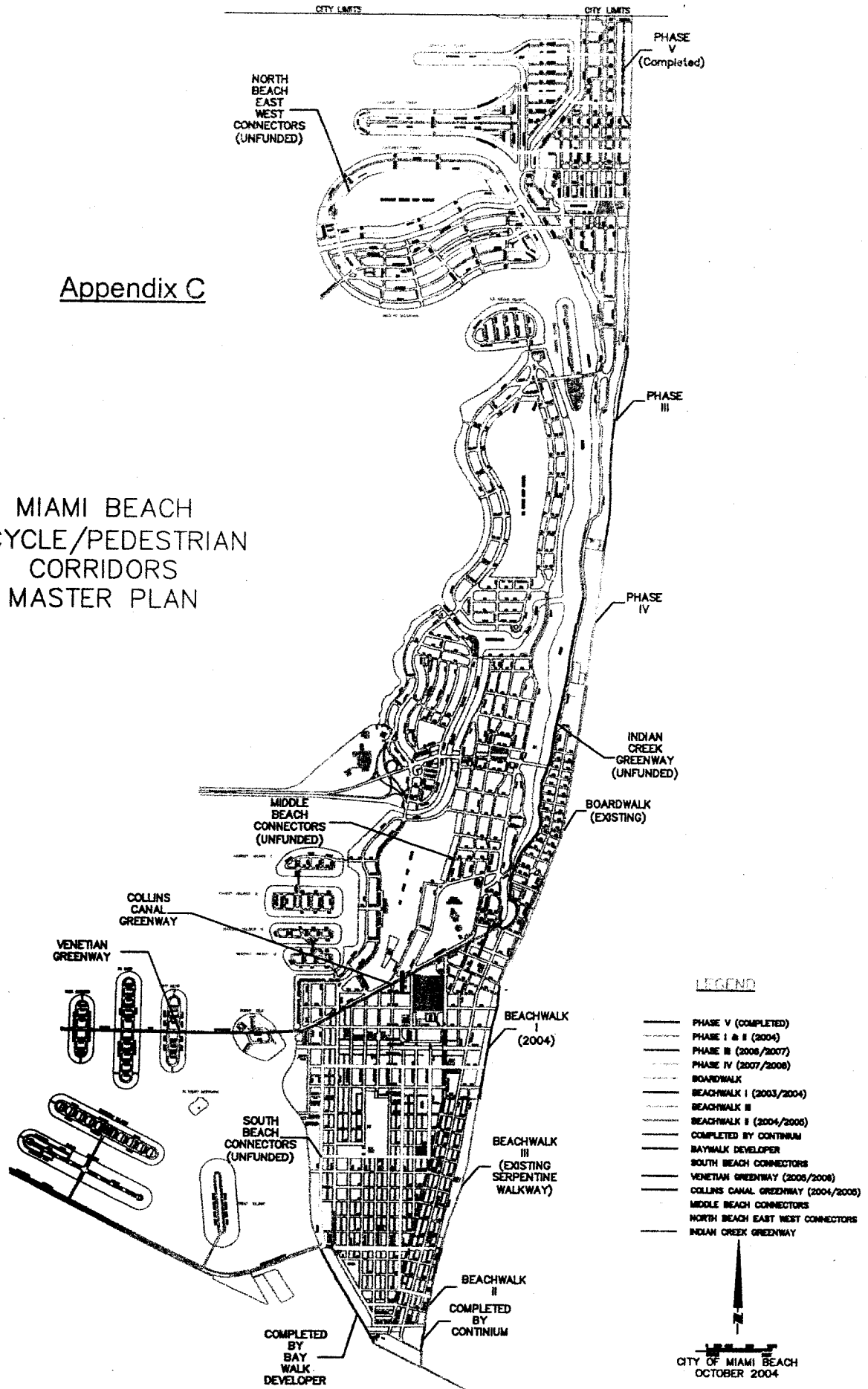
TCEA – Transportation Concurrency Exception Area

TCMA – Transportation Concurrency Management Area

WASD – Miami-Dade County Water and Sewer Department

Appendix C

MIAMI BEACH BICYCLE/PEDESTRIAN CORRIDORS MASTER PLAN



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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

A Resolution Authorizing the Appropriation of One Million One Hundred Ten Thousand Dollars (\$1,110,000), plus Applicable Closing Costs, from the Fiscal Year 2004/2005 Parking Enterprise Fund to Pay for the Purchase of the Property Located at 1833 Bay Road, Miami Beach, Florida (the Property).

Issue:

Shall the City Commission authorize the appropriation?

Item Summary/Recommendation:

On April 14, 2004, Resolution No. 2004-25548 was adopted, authorizing the Administration to proceed with the purchase of the Property, for \$986,000, or negotiate an acceptable compromise. The City had an option to purchase the Property for \$986,000, associated with an existing Lease/Purchase Option Agreement.

Attempts at negotiating with the Property owner for the \$986,000 price, or a compromise price were unsuccessful. The owner filed a court action, seeking a Declaratory Judgment, to determine whether the City properly exercised its "Option". The hearing for Declaratory Judgment was held, and the Court concluded that the matter should be set for trial, if the parties could not settle the matter. Subsequently, the City and the owner agreed to settle the matter in lieu of pursuing litigation.

On November 10, 2004, Resolution No. 2004-25743 was adopted, approving a settlement of the lawsuit, and authorizing the execution of all necessary settlement documents, including the execution of a Purchase and Sale Agreement with the Gloria Rosenthal Trust (the Property owner), and making the settlement subject to and conditioned upon closing of the transaction. The Settlement Agreement has been executed, and the Purchase and Sale Agreement is expected to be executed upon the appropriation of the necessary funds for the purchase, including applicable closing costs.

The Property is being purchased "as is", due to the City's ownership of the 2 contiguous lots, immediately adjacent to the Property, which if combined with the Property would provide a more developable site. The City performed its due diligence, including roof, termite, asbestos, and environmental inspections, but all costs associated with the required repairs and/or mediation to bring the Property into compliance with applicable codes have yet to be fully determined. However, it is proposed, that upon closing the purchase, that the current use of the Property remain "as is", thereby limiting any exposure to future repair requirements until such time as a comprehensive development plan for the combined site is developed.

The Administration recommends that the Resolution be adopted authorizing the appropriation of \$1,110,000, plus applicable closing costs, from the FY 04/05 Parking Enterprise Fund to pay for the purchase and closing costs associated with the Property.

The Administration recommends adoption of the Resolution.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div style="border: 1px solid black; width: 80px; height: 80px; display: flex; align-items: center; justify-content: center;">Finance Dept.</div>	1	\$1,110,000	Parking Enterprise Fund	
	2			
	3			
	4			
	Total	\$1,110,000		

City Clerk's Office Legislative Tracking:

Christina Cuervo/Joe Damien

Sign-Offs:

Department Director	Assistant City Manager	City Manager

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Agenda Item

R7.I

Date

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OF ONE MILLION ONE HUNDRED TEN THOUSAND DOLLARS (\$1,110,000), PLUS APPLICABLE CLOSING COSTS, FROM THE FISCAL YEAR 2004/2005 PARKING ENTERPRISE FUND TO PAY FOR THE PURCHASE OF THE PROPERTY LOCATED AT 1833 BAY ROAD, MIAMI BEACH, FLORIDA.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

On January 31, 2001, the Mayor and City Commission adopted Resolution No.2001-24250 approving a Lease Agreement between the City of Miami Beach (Tenant) and Gloria Miller-Rosenthal (Landlord) for the City's continued use of the property located at 1833 Bay Road, Miami Beach, Florida (the Property), for a term of three years, commencing on February 1, 2001, and expiring on January 31, 2004.

On February 4, 2004, the Mayor and City Commission, via Resolution No. 2004-25483, approved an amendment to said Lease Agreement, authorizing the City, effective February 1, 2004, to continue to lease the Property on a month-to-month basis, and further providing the City a six (6) month option to purchase the Property for the Option Price of \$986,000 (See attached November 10, 2004, City Commission Memorandum for detail and full history related to this matter).

On April 14, 2004, the Mayor and City Commission adopted Resolution No. 2004-25548, authorizing the City Administration to proceed with the purchase of the Property, at the Option Price of \$986,000, or negotiate an acceptable compromise.

The Administration initially pursued the purchase at the Option Price of \$986,000 which was not accepted by the Rosenthal Trust, and attempts at negotiating a compromise price were also unsuccessful. Ms. Rosenthal, through her legal counsel, filed a court action, seeking a Declaratory Judgment, to determine whether or not the City properly exercised its "Option". The hearing for Declaratory Judgment was held, and the Court concluded that the matter should be set for trial, if the parties could not settle the matter.

Subsequently, the City and the Gloria Rosenthal Trust agreed to settle the matter in lieu of pursuing litigation.

On November 10, 2004, the Mayor and City Commission adopted Resolution No. 2004-25743 approving a settlement of the lawsuit styled, Gloria Rosenthal, Trustee of the Gloria Rosenthal Trust u/a/d 5-19-88, n/k/a Gloria Rosenthal Trust u/a/d 5-14-99 v. City of Miami Beach Case No. 04-10744 CA 31, and authorizing the Mayor and City Clerk to execute any and all necessary settlement documents, including but not limited to the execution of a Purchase and Sale Agreement between the City and the Gloria Rosenthal Trust for the Property, and making the aforesated settlement subject to and conditioned upon closing of the transaction.

The Settlement Agreement has been executed. The Purchase and Sale Agreement is expected to be executed upon the Mayor and City Commission's appropriation of the necessary funds for the purchase of the Property, including applicable closing costs.

The Property is being purchased "as is", and deemed in City's best interest, in light of the fact that the City also owns the two (2) contiguous lots, immediately adjacent to and south of the Property, which if combined with the subject Property would serve to provide a more developable site.

The City has proceeded to perform its due diligence review, including roof, termite, asbestos, and environmental inspections, but all costs associated with the required repairs, mediation and/or improvements to bring the Property into compliance with applicable codes have yet to be fully determined.

However, it is proposed, that upon closing of the purchase transaction, that the current use of the Property remain "as is", thereby limiting any exposure to future repair requirements until such time as a comprehensive development plan is determined for the combined site.

The Administration recommends that the Mayor and City Commission adopt the attached Resolution authorizing the appropriation of One Million One Hundred Ten Thousand Dollars (\$1,110,000), plus applicable closing costs, from the Fiscal Year 2004/2005 Parking Enterprise Fund to pay for the purchase of, and the closing costs associated with the Property located at 1833 Bay Road, Miami Beach, Florida.

JMG:CMC:JD:rd

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RESOLUTION _____

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING
THE APPROPRIATION OF ONE MILLION ONE HUNDRED
TEN THOUSAND DOLLARS (\$1,110,000), PLUS
APPLICABLE CLOSING COSTS, FROM THE FISCAL YEAR
2004/2005 PARKING ENTERPRISE FUND TO PAY FOR THE
PURCHASE OF THE PROPERTY LOCATED AT 1833 BAY
ROAD, MIAMI BEACH, FLORIDA**

WHEREAS, on January 31, 2001, the Mayor and City Commission adopted Resolution No. 2001-24250 approving a Lease Agreement between the City of Miami Beach (Tenant) and Gloria Miller-Rosenthal (Landlord) for continuing the use of the property located at 1833 Bay Road, Miami Beach, Florida (the Property) for a term of three years, commencing on February 1, 2001, and expiring on January 31, 2004; and

WHEREAS, on February 4, 2004, the Mayor and City Commission, via Resolution No. 2004-25483, approved an amendment to said Lease Agreement, authorizing the City, effective February 1, 2004, to continue to lease the Property on a month-to-month basis, and further providing the City a six (6) month option to purchase the Property for \$986,000 (the Option); and

WHEREAS, on April 14, 2004, the Mayor and City Commission adopted Resolution No. 2004-25548, authorizing the City Administration to proceed with the purchase of the Property, at the Option Price of \$986,000; and

WHEREAS, the Property owner, Gloria Rosenthal, on behalf of the Gloria Rosenthal Trust, did not agree to the price proposal offered by the City, and petitioned the Court, via a request for Declaratory Judgment, to rule on the matter; and

WHEREAS, the Court heard the request for Declaratory Action and set the matter for trial; and

WHEREAS, the City and the Gloria Rosenthal Trust agreed to settle the matter instead of continuing litigation; and

WHEREAS, on November 10, 2004, the Mayor and City Commission adopted Resolution No. 2004-25743 approving a settlement of the lawsuit styled, Gloria Rosenthal, Trustee of the Gloria Rosenthal Trust u/a/d 5-19-88, n/k/a Gloria Rosenthal Trust u/a/d 5-14-99 v. City of Miami Beach Case No. 04-10744 CA 31, and authorizing the Mayor and City Clerk to execute any and all necessary settlement documents, including but not limited to the execution of a Purchase and Sale Agreement between the City (Buyer) and the Gloria Rosenthal Trust (Seller) for the Property, and making the aforesaid settlement subject to and conditioned upon closing of the subject Property.

NOW, THEREFORE BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, that One Million One Hundred Ten Thousand Dollars (\$1,110,000), plus applicable closing costs, be appropriated from the Fiscal Year 2004/2005 Parking Enterprise Fund to pay for the purchase of the Property located at 1833 Bay Road, Miami Beach, Florida.

PASSED AND ADOPTED THIS _____ day of _____, 2005.

Attest:

City Clerk

Mayor

JMG/CMC/JD/rd

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

M. H. [Signature] 1-6-05
City Attorney Date

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: November 10, 2004

From: Jorge M. Gonzalez
City Manager

Subject: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING A SETTLEMENT OF THE LAWSUIT STYLED, GLORIA ROSENTHAL, TRUSTEE OF THE GLORIA ROSENTHAL TRUST u/a/d 5-19-88, n/k/a GLORIA ROSENTHAL TRUST u/a/d 5-14-99 v. CITY OF MIAMI BEACH CASE NO. 04-10744 CA 31; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ANY AND ALL NECESSARY SETTLEMENT DOCUMENTS, INCLUDING BUT NOT LIMITED TO THE EXECUTION OF A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY (BUYER) AND THE GLORIA ROSENTHAL TRUST (SELLER) FOR THE PROPERTY LOCATED AT 1833 BAY ROAD, MIAMI BEACH, FLORIDA; FURTHER MAKING THE SETTLEMENT SUBJECT TO AND CONDITIONED UPON CLOSING OF THE SUBJECT PROPERTY.**

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

ANALYSIS

The Lease Agreement

On January 31, 2001, the Mayor and City Commission adopted Resolution No. 2001-24250 approving a Lease Agreement between the City of Miami Beach (Tenant) and Gloria Miller-Rosenthal (Landlord) for continuing the use of the property located at 1833 Bay Road, Miami Beach, Florida (the Property). The Property, includes the first floor (approximately 3,232 square feet) currently housing the City's Parking Department Sign Division, the second floor (approximately 3,232 square feet) which had been used to accommodate certain Police Department operations (which were relocated to Historic City Hall in April 2004), and the use of the rear yard (approximately 4,000± square feet). The Lease had a term of three years, commencing on February 1, 2001, and expiring on January 31, 2004.

Although the Police operations were to be relocated (and were relocated in April 2004) as mentioned above, the future location of the Parking Department Sign Division had yet to be determined, thus the Administration negotiated a month-to-month extension with the Property owner so the respective operations could remain on site until the respective relocation of each.

The Amendment to Lease (with Option to Purchase)

On February 4, 2004, the Mayor and City Commission, via Resolution No. 2004-25483, approved an Amendment to the Lease Agreement, authorizing the City, effective

February 1, 2004, to continue to lease the Property on a month-to-month basis. In April 2004, the City exercised its option to terminate the use of the 2nd Floor Space previously occupied by Police operations. The terms and conditions, at the current time, provide for the following:

- The City pays the Landlord, as compensation for use of the 1st Floor, and one-half (1/2) of the rear yard, of the Property, the sum of five thousand dollars (\$5,000) per month, plus two hundred fifty dollars (\$250) per month representing an increase in real property taxes and insurance (as reported by Landlord) for the years 2001 through 2003.
- The City and/or Landlord may, at their sole discretion, without cause, terminate the month-to-month tenancy upon giving the other party sixty (60) days prior written notice of its intentions.

Option to Purchase

Due to the following conditions, the Administration negotiated an Option to purchase the Property, an option already included in the previously existing lease agreement:

- The Property is located adjacent to two (2) City-owned municipal parking lots, thus in combination therewith, same may provide the City with an enhanced opportunity, in the future, to develop the site, either on its own or via a public/private venture.
- In the past, the City invested upwards of \$75,000 in improvements and upgrades to the Property and the City has the opportunity to continue to take advantage of the improvements previously made.
- If the City purchases the Property, there are certain modifications to the Property, including accessibility upgrades, that would be required to bring the Property into compliance with current code(s).

As such, the City negotiated, an extended and more specific option to purchase, which includes:

- The City reserved the right to purchase the Property, for \$986,000 (the "Option Price"); the amount equal to the average between the Landlord's asking price of \$1,050,000, and that reflected in the City procured appraisal which placed the value at \$922,000;
 - within six (6) months of executing the extension; or
 - until such time as the City notifies Landlord in writing of its intention not to purchase; or
 - until such time as the Landlord enters into a "binding" Purchase and Sale Contract for the sale of the Property with a "pre-approved and qualified" third party (with the City reserving the right to match the amount of said third party offer and purchase the Property), whichever occurs first.
 - in the event the Landlord enters into a binding Purchase and Sale Contract for the sale of the Property with a pre-approved and qualified third party, and the City had not exercised its right to purchase the Property at that time, and the Purchase and Sale was

not consummated with said third party, the City's rights to purchase the Property would continue as provided above.

Except as herein delineated, all terms and conditions of the original Lease, dated January 31, 2001, remained in full force and effect.

The Third Party Offer

On March 23, 2004, the City received from Gloria Rosenthal a copy of a contract for purchase and sale of the Property for \$1,185,000, which she had received from prospective buyer Tamron Properties (Tamra Sheffman, principal). On April 6, 2004, the matter was presented to the Finance and Citywide Projects Committee, which reviewed the item and requested the Administration to provide a cost estimate for any improvements which may be required to bring the Property into compliance with applicable codes, and further referred the item for a full discussion, by the Mayor and City Commission.

On April 14, 2004, the Administration presented the Mayor and City Commission, a preliminary cost estimate and sought direction as to whether, or not, to pursue the purchase of the Property, and if so, at what price?

Discussion ensued as to whether, or not, Tamron met the threshold criteria in the City's option, of being "a pre-approved and qualified third party", and whether the offer was binding upon Tamron. The Administration deemed that Tamron was not "pre-approved and qualified", based on the fact that the only documentation provided to the City from any lending institution was a "...preliminary commitment letter...presented for discussion purposes..." and not a binding mortgage loan commitment. Moreover, the Administration deemed the offer was not fully binding upon Tamron, since the offer included a thirty (30) day "due diligence" clause that allowed Tamron to terminate the offer without penalty, and without cause, within said 30 day period.

Based on this information, the Administration was directed to pursue the purchase at the option price of \$986,000, or negotiate an acceptable compromise. In a letter to Rosen and Switkes (legal counsel for Gloria Rosenthal) dated April 19, 2004, and in accordance with the directive received, the City exercised its "Option", at the \$986,000 option price, but said offer was rejected, via Ms. Rosenthal's legal counsel, who advised the City that the "Option" period had expired upon their presentation of the Tamron offer to the City, and that the only recourse for the City, was to match the terms and conditions, including the \$1,185,000 price, of the Tamron offer, via the City's "Right of First Refusal".

Attempts at negotiating a compromise price were unsuccessful, and Ms. Rosenthal, through her legal counsel, filed a court action, seeking a Declaratory Judgment, to determine whether or not the City properly exercised its "Option", or whether the Tamron contract was "binding" and whether Tamron was a "pre-approved and qualified" buyer. The hearing for Declaratory Judgment was held, and Judge Peter Lopez, opined that the Tamron offer was "binding", however, the issue of whether Tamron was "pre-approved and qualified", should be set for trial, if the parties could not settle the matter.

The parties continued to negotiate during the litigation process and on October 13, 2004, at a duly noticed and scheduled Executive Session, the City Manager and City Attorney presented to the Mayor and City Commission a final compromise offer, which would also serve to settle the litigation and proceed with the acquisition. The compromise offer, which was approved at said Executive Session, for the purchase price of \$1,080,000, plus

\$30,000 (½ of the full real estate brokerage commission, as negotiated, of \$60,000, and approximately equivalent to 5.5% of the City's purchase price) to compensate the real estate brokers (Tamra Sheffman of Royal Palm Realty and Tony Ulloa of the Keyes Company) associated with the Tamron offer.

The City and the Gloria Rosenthal Trust have agreed to the terms and conditions of the attached Purchase and Sale Agreement, in the total amount of \$1,110,000, (Purchase price of \$1,080,000 and the City's share of the real estate brokerage commission of \$30,000), and is subject to a 35 day "due diligence" period, which allows the City during such time period, to cancel the Agreement, at its sole discretion. During said "due diligence" period, the City, amongst other things, will conduct a Phase 1 environmental audit, and termite, asbestos, and roof inspections, as well as other inspections to determine compliance with current and applicable municipal, county, state and federal regulatory codes.

A draft of the proposed Purchase and Sale Agreement was forwarded to the Seller with the aforesaid terms and conditions, including the 35 day "due diligence" period, during which the City anticipates to make a final determination as to the general condition of the building and identify potential environmental issues associated therewith. In the event there are violative conditions found, the City had indicated to the Seller that they should correct said violations, or in the alternative, negotiate adjustments to the purchase price accordingly. The Seller, through its legal counsel, verbally advised the City, that despite the "due diligence" period afforded, that this was intended to be an "as is, where is" transaction, and Seller would not assume the additional costs (or contemplate a reduction in purchase price) for any corrective work that may be required.

If the transaction is closed as expected, upon assuming possession of the Property, it is not anticipated that the City will incur any significant rehabilitation costs. However, based on preliminary inspections of the Property, effectuating corrective action of existing violative conditions may trigger code required upgrades to the building, the costs of which have been preliminarily estimated not to exceed \$100,000. However, notwithstanding this estimated amount, a final cost estimate cannot be determined until conclusion of the City's assessment of the Property, during the due diligence period; at which time the City may, of course, determine whether to proceed with closing or (should final costs estimates be deemed prohibitively high) terminate the transaction. These findings and results of the due diligence can be reported on December 8, 2004 to the City Commission to determine whether to proceed with the transaction.

The Administration recommends that the Mayor and City Commission approve the attached Purchase and Sale Agreement with the Gloria Rosenthal Trust for the purchase of the property located at 1833 Bay Road, Miami Beach, Florida.

^{clac}
JMG:CMC:JD:rlr

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**CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY**

**Condensed Title:**

Resolution waiving by 5/7ths vote, the competitive bidding requirement and authorizing the Mayor and City Clerk to execute a Legislative Services Agreement with the firm of Jorden, Burt, Berenson and Johnson, LLP for governmental representation in Washington, D.C. in the amount of \$100,000 for a period of three years, seven months with two one-year options to renew.

Issue:

Should the City execute a new agreement with the City's lobbying team in Washington, D.C..

Item Summary/Recommendation:

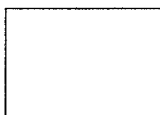
Approve the Resolution

Advisory Board Recommendation:

Finance and Citywide Projects Committee – November 23, 2004

Financial Information:**Amount to be expended:**

**Source of
Funds:**



Finance Dept.

	Amount	Account	Approved
1	100,000	Funds will be provided in the	
2		FY 2005/06 General Fund Budget.	
3		Account # 011.9362.000312	
Total	\$100,000		

City Clerk's Office Legislative Tracking:

Kevin Crowder, Economic Development

Sign-Offs:

Department Director	Assistant City Manager	City Manager
	CMC	Jorge

T:\AGENDA\2005\Jan1205\Regular\2004 Fed Lobbyists Summary.doc

AGENDA ITEM

R7J

DATE

1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
<http://ci.miami-beach.fl.us>



COMMISSION MEMORANDUM NO.

TO: Mayor David Dermer and
Members of the City Commission

DATE: January 12, 2005

FROM: Jorge M. Gonzalez
City Manager

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, AND APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR LEGISLATIVE SERVICES, IN THE AMOUNT OF \$100,000, BETWEEN THE CITY AND JORDEN, BURT, BERENSON, AND JOHNSON, LLP, TO PROVIDE LOBBYING AND CONSULTING SERVICES IN WASHINGTON, D.C., COMMENCING ON FEBRUARY 20, 2005 AND ENDING ON SEPTEMBER 30, 2008.

ADMINISTRATION RECOMMENDATION:

Adopt the Resolution.

ANALYSIS:

On December 20, 2000, the Mayor and City Commission approved Resolution No. 2000-24219, authorizing the Mayor and City Clerk to execute a professional services agreement with the firm of Jordan Burt, to provide governmental representation and consulting services in Washington D.C., in the amount of \$90,000, inclusive of expenses. The Professional Services Agreement was executed for an initial term of two (2) years, with two (2) additional one (1) year options to renew. On February 25, 2004, the Mayor and City Commission approved the renewal of the second of the two (2), one-year options.

On November 25, 2004, the Finance Committee met to discuss the federal legislative services agreement, and whether or not a Request for Proposals (RFP) should be issued. The Committee expressed satisfaction with the Consultants' performance representing the City, notably the stormwater and intermodal appropriations secured in the 2005 Appropriations Bill. The Committee further felt that these services were like legal services where the City contracts with the firm it feels will best represent its interests. The Committee recommended that the Administration negotiate a new agreement with the consultants, for presentation to the City Commission on January 12, 2005. The new agreement is attached.

The Administration and consultants have negotiated the following terms:

- **Term:** Three (3) years, Seven months with two (2), one-year options to renew.
- **Amount:** \$52,500 for the period of March-September 2005, which is the current rate. \$100,000 per year beginning the first full year of the agreement (Oct 2005-Sep 2006), with a CPI escalator each year, beginning with the second full year of the agreement, and including the option years.

January 12, 2005
City Commission Memorandum
Federal Lobbyists
Page 2 of 2

The rate for Federal Legislative Services has been \$90,000 per year since 2000. Consistent with the new State Legislative Services Agreement approved in November 2003, the Administration recommends an increase of \$10,000, for a new rate total of \$100,000, although the rate will not increase until October 2005, consistent with the City's Fiscal Year.

CONCLUSION:

The Administration recommends that the City Commission adopt the attached resolution.

JMG:^{auc}CMC:kc

Attachment

F:\DDHP\ALL\KEVIN\Commission Items\050112\2004 Fed Lobbyists Memo1.doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, AND APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT FOR GOVERNMENTAL SERVICES, IN THE AMOUNT OF \$100,000, BETWEEN THE CITY AND JORDEN, BURT, BERENSON, AND JOHNSON, LLP, TO PROVIDE LOBBYING AND CONSULTING SERVICES IN WASHINGTON, D.C., COMMENCING ON FEBRUARY 20, 2005, AND ENDING ON SEPTEMBER 30, 2008, WITH TWO (2) ONE YEAR RENEWAL OPTIONS TO BE EXERCISED AT THE CITY'S SOLE DISCRETION.

WHEREAS, the City is desirous of obtaining lobbying and consulting services before Congress and Federal Agencies located in Washington, D.C.; and

WHEREAS, on December 20, 2000, the Mayor and City Commission awarded a Governmental Services Agreement to Jorden, Burt, Berenson, and Johnson, LLP, (collectively, the Consultant) for the term commencing on February 20, 2001, and ending on February 19, 2003, with a provision therein stating that the term of the Agreement may be renewed for two, one-year terms; and

WHEREAS, on February 26, 2003, the Mayor and City Commission approved an extension of the Agreement for the term commencing on February 20, 2003, and ending on February 19, 2004; and

WHEREAS, on February 25, 2004, the Mayor and City Commission approved an extension of the Agreement for the term commencing on February 20, 2004, and ending on February 19, 2005; and

WHEREAS, the Consultant has performed satisfactorily and has effectively produced results for the City by achieving desired appropriations, and has assisted with the processing of significant grants; and

WHEREAS, on November 23, 2004 the Finance and Citywide Projects Committee recommended entering into a new Agreement with the Consultant; and

WHEREAS, the Administration now recommends that the Mayor and City Commission waive, by 5/7ths vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, and authorize the Mayor and City Clerk to execute the attached new Governmental Services Agreement between the City and the Consultant for a term of three years and seven months, with two, one-year renewal options at the City's discretion; and

WHEREAS, the Administration further recommends that said Agreement commence at the rate of \$7,500 per month, inclusive of expenses; thereafter, that the rate increase to \$100,000 per year on October 1, 2005; and that the rate increase at the rate of the Consumer Price Index (CPI) in each subsequent year of the Agreement.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission herein waive, by 5/7ths vote, the competitive bidding requirement, and approve and authorize the Mayor and City Clerk to execute a Professional Services Agreement for Federal Governmental Services with Jorden, Burt, Berenson, and Johnson, LLP, in the total amount of \$100,000, to provide governmental representation and consulting services in Washington, D.C., on an on-going basis, for an initial term commencing on February 20, 2005, and ending on September 30, 2008, with two (2) one year renewal options to be exercised at the City's sole discretion.

PASSED and ADOPTED this 12th day of January, 2005.


Mayor

ATTEST:

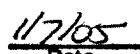
City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

T:\AGENDA\2005\Jan1205\Regular\2004 Fed Lobbyists Reso.doc



City Attorney



Date

CITY OF MIAMI BEACH
GOVERNMENTAL SERVICES AGREEMENT

THIS AGREEMENT made and entered into this 1st day of October, 2003, between the **CITY OF MIAMI BEACH**, hereinafter called the **CITY**, a municipal corporation of the state of Florida, and the firm of **JORDEN, BURT, BERENSON AND JOHNSON, LLP.**, hereinafter called the **CONSULTANT**.

WITNESSETH:

In consideration of the promises and mutual covenants hereinafter contained, the parties hereto agree:

1. OBLIGATIONS OF THE CONSULTANT

- A.** The **CONSULTANT** will confer with the Mayor and the City Commission: the City Attorney; the City Manager, and other such City personnel as the City Manager may designate at the times and places mutually agreed to by the City Manager and the **CONSULTANT** on all organizational planning and program activity which have a bearing on the ability of the **CITY** make the best use of Federal programs.
- B.** The **CONSULTANT** will maintain liaison with the **CITY'S** Congressional

delegation and will assist the delegation in any matter which the CITY determines to be in its best interest.

- C. The CONSULTANT will counsel with the CITY regarding appearances by City personnel before Congressional Committees and Federal administrative agencies and will assist the City and its personnel in negotiations with administrative agencies concerning City projects requiring Federal assistance and cooperation.
- D. The CONSULTANT will assist the CITY in the review of executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations and other developments for the purpose of advising the CITY of those items mutually agreed upon that may have a significant bearing on the CITY policies or programs.
- E. The CONSULTANT will communicate and coordinate with other lobbyists representing interests which are consistent with those of the CITY in obtaining the goals and objectives of the CITY.
- F. The CONSULTANT will assist in contacting Federal agencies on the CITY'S behalf on a mutually agreed upon basis when City funding applications are under consideration by such agencies.

- G.** Identify and notify the City in advance of opportunities such as grant opportunities and funding availability for transportation, community and economic development, environmental matters, beach renourishment, infrastructure improvement, hurricane recovery efforts, housing and urban development, homeless programs, intermodal programs, and any other areas of interest to the City.
- H.** Establish and maintain working relationships with the executive and legislative branches of the federal government that will enhance the City's position with respect to financial assistance applications, regulatory procedures, legislation, budget authorizations and appropriations, and other areas of interest to the City.
- I.** Consult with the City regarding any proposed formula changes in the Community Development Block Grant or other major federal programs to determine their impact on the City, and take the necessary steps as mutually agreed upon to bring changes in the best interest of the City.
- J.** Upon request of the City, assist the City in any matter related to the Executive Branch of the State of Florida.
- K.** Represent the City at Washington, D.C. area conferences or meetings as

requested.

- L. Conduct a semi-annual briefing to the City to provide the latest information on issues of interest to the City, and submit an annual report of accomplishments concerning the Consultant's responsibilities.

2. OBLIGATIONS OF THE CITY MIAMI BEACH

- A. The basic agreement for the initial period between February 20, 2005 through September 30, 2005, will be for **\$7,500** per month. Payments will be in advance in equal monthly installments of **\$7,500** payable immediately upon execution of this agreement. Year one shall be the first full year of the Agreement, or the period commencing on October 1, 2005 and ending on September 30, 2006, will be for the base of \$100,000 per year. Year two and year three of the agreement will be for the base of \$100,000 per year plus any adjustment each year based on the Consumer Price Index.
- C. The CITY will supply the CONSULTANT with the names of persons other than the Mayor and City Commission, the City Manager and the City Attorney who are authorized to request services from the CONSULTANT and the person(s) to which the CONSULTANT should respond regarding specific

issues.

3. TERM OF AGREEMENT

This Agreement shall take effect on the **19th** day of **February, 2005**, and shall terminate on the **30th** day of **September, 2008**, subject to the provisions of paragraph 4. The Agreement may be extended two times for one year each at the sole discretion of the City.

4. TERMINATION OF AGREEMENT

The CITY retains the right to terminate this Agreement at any time prior to the completion of the WORK without penalty to the CITY. In that event, notice of this termination shall be in writing to the CONSULTANT who shall be paid for all WORK performed prior to the date of the receipt of the notice of termination prorated as of such date. In no case, however, will the CITY pay the CONSULTANT an amount in excess of the total sum provided by this Agreement. It is hereby understood by and between the CITY and the CONSULTANT that any payment made in accordance with this Section to the CONSULTANT shall be made only if said CONSULTANT is not in default under the terms of this Agreement, in which event (default) the CITY shall, in no way, be obligated and shall not pay to the CONSULTANT any sum whatsoever.

5. AWARD OF AGREEMENT

The CONSULTANT warrants that it has not employed or retained any company or persons to solicit or secure this Agreement and that it has not offered to pay, any person or company any fee, commission, percentage, brokerage fee, or gifts of any kind contingent or resulting from the award of making this Agreement.

The CONSULTANT is aware of the conflict of interest laws in the City of Miami Beach, Dade County, Florida (Dade County Code, Section 2-11.1) and the Florida Statutes, and agrees that they will fully comply in all respects with the terms of said laws.

6. CONSTRUCTION OF AGREEMENT

The parties hereto agree that this Agreement shall be construed and enforced according to the laws, statutes, and case laws of the State of Florida.

7. AUDIT RIGHTS

The CITY reserves the right to audit the records of the CONSULTANT at any time during the performance of this Agreement and for a period of one year after final payment is made under this Agreement.

8. INDEMNIFICATION

The CONSULTANT shall defend, indemnify and save the CITY harmless from and against any and all claims, liabilities, losses, and causes of action which may arise out of the CONSULTANT'S activities under this Agreement, including all other acts or omissions to act on the part of the CONSULTANT or any of them, including any person action for or on his or their behalf.

9. CONFLICT OF INTEREST

The CONSULTANT covenants that no person under its employ who presently exercises any functions or responsibilities in connection with this Agreement has any conflicting personal financial interest, direct or indirect, in this Agreement. The CONSULTANT further covenants that, in the performance of this Agreement, no person having such conflicting interest shall be employed. Any such interests on the part of the CONSULTANT or its employees, must be disclosed, in writing, to the CITY. The CONSULTANT, in performance of this Agreement, shall be subject to any more restrictive law and/or guidelines regarding conflict of interest promulgated

by federal, state or local governments.

10. INDEPENDENT CONTRACTOR

It is agreed that the CONSULTANT and its employees and agents shall be deemed to be an independent contractor, and not an agent or employee of the CITY, and shall not attain any rights or benefits under the Civil Service or Pension Ordinance of the CITY, or any rights generally afforded classified or unclassified employees; further, he/she shall not be deemed entitled to Florida Worker's Compensation benefits as an employee of the CITY.

11. LIMITATION OF LIABILITY

The CITY desires to enter into this Agreement only if in so doing the CITY can place a limit on CITY'S liability for any cause of action for money damages due to an alleged breach by the CITY of this Agreement, so that its liability for any such breach never exceeds the sum of **\$100,000**. CONSULTANT hereby expresses its willingness to enter into this Agreement with CONSULTANT'S recovery from THE CITY for any damage action for breach of contract to be limited to a maximum amount of **\$100,000** which amount shall be reduced by the amount for the funding actually paid by the CITY to CONSULTANT pursuant to this Agreement, for any

action or claim for breach of contract arising out of the performance or nonperformance of any obligations imposed upon the CITY by this Agreement.

Nothing contained in this subparagraph or elsewhere in this Agreement is in any way intended to be a waiver of the limitation placed upon the CITY'S liability as set forth in , Section 768.28 Florida Statutes.

Any litigation which arises out of this Agreement shall take place in the Court of Appropriate Jurisdiction in Dade County, Florida.

IN WITNESSETH WHEREOF, the parties hereto have caused these presents to be executed by the respective officials thereunto duly authorized this day and year first written above.

ATTEST:

THE CITY OF MIAMI BEACH, FLORIDA

Robert Parcher, City Clerk

David Dermer, Mayor

[If incorporated sign below]

JORDEN, BURT, BERENSON, & JOHNSON, LLP.

ATTEST:

(Secretary)

By: _____
Marilyn Thompson

(Corporate Seal)

____ day of _____, 20____

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

W. H. Smith
City Attorney

1-4-05
Date

CITY OF MIAMI BEACH
COMMISSION ITEM SUMMARY



Condensed Title:

A Resolution of the Mayor and City Commission approving the City's 2006 Federal Legislative Agenda.

Issue:

Shall the City identify legislative and funding initiatives to pursue during the 2006 Congressional Session?

Item Summary/Recommendation:

The Administration recommends that the City Commission approve the attached list of Federal Legislative Priorities.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:		Amount	Account	Approved
<div>N/A</div> <div>Finance Dept.</div>	1			
	2			
	3			
	4			
	Total			

City Clerk's Office Legislative Tracking:

Economic Development – Kevin Crowder

Sign-Offs:

Department Director	Assistant City Manager	City Manager

T:\AGENDA\2003\feb2603\regular\Federal Priorities Sum.doc

AGENDA ITEM B7K
DATE 1-12-05

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**Subject: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE
CITY OF MIAMI BEACH, FLORIDA, APPROVING THE CITY'S 2006
FEDERAL LEGISLATIVE AGENDA.**

ADMINISTRATION RECOMMENDATION

The Administration recommends that the City Commission approve the Resolution.

ANALYSIS:

On February 25, 2004 the Mayor and City Commission approved Resolution Number 2004-25505, the City's FY 2005 Federal Appropriations Agenda. As part of the FY 2005 Omnibus Appropriations Bill approved by Congress in November 2004, the City received the following appropriations:

- \$750,000 for Stormwater Improvements in North Beach.
- \$1.4 million from the Federal Transit Administration Bus and Bus Facilities account for an Intermodal Facility in Miami Beach.

The City also has two projects pending in the reauthorization legislation for the Transportation Equity Act (TEA-21). The City expects final action on this legislation to occur in the Spring of 2005.

- \$3 million for the Atlantic Greenway Corridor Network.
- \$1 million for the West Avenue Bridge.

The Administration seeks the City Commission's direction on attempting to replace the West Avenue Bridge authorization with a different project that is eligible for this funding source and totals no more than \$1 million. The potential projects and the amount of funding that is needed are:

- Seawall Repair - \$930,625
 - Muss Park Seawall Replacement - \$266,625
 - Hagan Park Seawall - \$105,000
 - Extensive Repairs to other Seawalls - \$559,000
- Stormwater Outfall Reconstruction - \$1,800,000
- Parkview Canal Seawall Revetment - \$1,800,000

- Atlantic Greenway Corridor - \$1,000,000

For the appropriations bills identified below, the Administration recommends the prioritization of no more than one (1) project per appropriations bill as part of the City's final Federal Appropriations Agenda. The priorities the Administration recommends are identified.

Justice Appropriations Bill

Recommended Priority:

\$2,000,000 for After School and Summertime Gang and Drug Prevention.

VA/HUD/Independent Agencies Appropriations Bill (includes EPA)

Recommended Priorities:

State and Tribal Assistance Grants

Stormwater/Drainage Improvement Projects in North Beach – \$9,993,724

- a. Biscayne Pointe - \$1,767,321
- b. Normandy Shores - \$3,573,554
- c. Nautilus - \$1,743,724
- d. North Shore/Normandy Isle - \$2,909,125

Environmental Programs and Management

\$4,775,000 for dredging and cleaning of canals citywide.

Economic Development Initiative

\$1,900,000 for renovations to the 73rd Street Bandshell and surrounding park.

Other Potential Projects:

- \$1,785,000 for flood proofing sewer and pump stations.
- \$5,000,000 for the North Beach Cultural Center (Byron Carlyle).

Transportation Appropriations Bill

Recommended Priority:

\$4 million for the Atlantic Greenway Corridor

Other Potential Projects:

- \$2 million for the Local Circulator Service
- Parkview Canal Seawall Revetment - \$1,800,000
- Seawall Repair - \$930,625

- a. Muss Park Seawall Replacement - \$266,625
- b. Hagan Park Seawall - \$105,000
- c. Extensive Repairs to other Seawalls - \$559,000
- \$1 million for the West Avenue Bridge

Energy and Water Appropriations

Recommended Priorities:

Support for Miami-Dade County's Beach Renourishment Funding Request (\$5,000,000)
\$2,300,000 for the Innovative Erosion Control Project in Miami Beach.

Interior Appropriations Bill

Recommended Priority:

\$500,000 for renovations to Historic City Hall from Save America's Treasures.

Labor/HHS Appropriations Bill

Recommended Priority:

- \$5,000,000 for the North Beach Cultural Center (Byron Carlyle)
- \$1,000,000 for the Art Deco Historic District Interpretive Center

Other Potential Projects:

- Identify an account in the Labor/HHS bill to target funding for homeless programs.

The Administration will also continue to identify opportunities for the following initiatives:

- Identification of potential health care and social service projects that are eligible for federal funding.
- Unification of the State and Federal Education Accountability Systems.
- Resolve the long-term sand source issue for beach renourishment.
- Identify opportunities to meet local needs and provide flexibility within the regional Continuum of Care for the homeless.
- Identify funding and program opportunities for senior services, especially in North Beach.
- Pursue all available benefits related to brownfields and infrastructure funding for the 5th and Alton Transit Facility project.
- Seek infrastructure support for the New World Symphony Soundspace project.
- Support efforts to obtain disaster mitigation funding from FEMA and homeland security funding from the Urban Area Security Initiative, FEMA, and other agencies.
- Continue to work with the Department of Interior for a National Heritage Area designation.

The City's Federal Lobbyists will continue to work with the City's Grant's Management Office in the pursuit of additional funding, especially as it relates to Homeland Security.

The Administration recommends that the City Commission adopt the attached Resolution.

JMG/CMC/KC
T:\AGENDA\2003\feb2603\regular\Federal Priorities CM.doc

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION
OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING
THE CITY'S YEAR 2006 FEDERAL GOVERNMENTAL
AGENDA.**

WHEREAS, the City must avail itself of all potential sources of funds; and

WHEREAS, Federal legislation may need to be enacted to protect and enhance the City's interests; and

WHEREAS, action of Federal executive agencies may be necessary for the same purposes; and

WHEREAS, it is imperative that the City's legislative consultant is aware of, and has a list of, City priorities; and

WHEREAS, the Administration has prioritized funding needs and identified potential funding sources; and

WHEREAS, the City's numerous Federal-level needs have been assessed and prioritized to produce the most effective use of its legislative team.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the recommended Federal Legislative Priorities for the Year 2006 Federal Governmental Agenda be approved, as more specifically set forth in the attached Exhibit A.

PASSED and ADOPTED this _____ day of _____, 2005.

Mayor

ATTEST:

City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

1-4-05

Date

Attachment 'A'

City of Miami Beach 2006 Federal Legislative Agenda

TEA-21 Reauthorization

The City seeks to replace the West Avenue Bridge authorization with a different project that is eligible for this funding source and totals no more than \$1 million.

Seawall Repair - \$930,625

- Muss Park Seawall Replacement - \$266,625
- Hagan Park Seawall - \$105,000
- Extensive Repairs to other Seawalls - \$559,000

Justice Appropriations Bill

\$2,000,000 for After School and Summertime Gang and Drug Prevention.

VA/HUD/Independent Agencies Appropriations Bill (includes EPA)

State and Tribal Assistance Grants

Stormwater/Drainage Improvement Projects in North Beach – \$9,993,724

- a. Biscayne Pointe - \$1,767,321
- b. Normandy Shores - \$3,573,554
- c. Nautilus - \$1,743,724
- d. North Shore/Normandy Isle - \$2,909,125

Environmental Programs and Management

\$4,775,000 for dredging and cleaning of canals citywide.

Economic Development Initiative

\$1,900,000 for renovations to the 73rd Street Bandshell and surrounding park.

Transportation Appropriations Bill

\$4 million for the Atlantic Greenway Corridor

Energy and Water Appropriations

Support for Miami-Dade County's Beach Renourishment Funding Request (\$5,000,000)
\$2,300,000 for the Innovative Erosion Control Project in Miami Beach.

Interior Appropriations Bill

\$500,000 for renovations to Historic City Hall from Save America's Treasures.

Labor/HHS Appropriations Bill

- \$5,000,000 for the North Beach Cultural Center (Byron Carlyle)
- \$1,000,000 for the Art Deco Historic District Interpretive Center

Non-Funding Initiatives

- Identification of potential health care and social service projects that are eligible for federal funding.
- Unification of the State and Federal Education Accountability Systems.
- Resolve the long-term sand source issue for beach renourishment.
- Identify opportunities to meet local needs and provide flexibility within the regional Continuum of Care for the homeless.
- Identify funding and program opportunities for senior services, especially in North Beach.
- Pursue all available benefits related to brownfields and infrastructure funding for the 5th and Alton Transit Facility project.
- Seek infrastructure support for the New World Symphony Soundspace project.
- Support efforts to obtain disaster mitigation funding from FEMA and homeland security funding from the Urban Area Security Initiative, FEMA, and other agencies.
- Continue to work with the Department of Interior for a National Heritage Area designation.

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**R9
NEW BUSINESS AND
COMMISSION REQUEST**

CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH FLORIDA 33139



OFFICE OF THE CITY CLERK

CITY HALL
1700 CONVENTION CENTER DRIVE
TELEPHONE: 673-7411

COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: BOARD AND COMMITTEES

BACKGROUND:

Attached are the applicants that have filed with the City Clerk's Office for Board and Committee appointments.

ADMINISTRATION RECOMMENDATION:

That appointments be made as indicated.

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Audit Committee	5	City Commission	1	Page 2
Barrier Free Environment Committee	13	Commissioner Saul Gross	1	Page 3
Budget Advisory Committee	9	City Commission	1	Page 7
Community Development Advisory Committee	14	Commissioner Jose Smith Commissioner Matti H. Bower Commissioner Saul Gross Mayor David Dermer	1 1 1 1	Page 11
Convention Center Capital Projects Oversight Com.	7	Mayor David Dermer	1	Page 16

AGENDA ITEM
DATE

R9A
1-12-05

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
Design Review Board	7	City Commission	1	Page 18
Fine Arts Board	14	Commissioner Jose Smith	1	Page 19
		Commissioner Saul Gross	1	
		Commissioner Simon Cruz	2	
Golf Advisory Committee	12	Commissioner Simon Cruz	1	Page 20
Health Facilities Authority Board	6	City Commission	1	Page 23
Hispanic Affairs Committee	7	Commissioner Luis R. Garcia, Jr.	1	Page 24
		Commissioner Matti H. Bower	1	
		Commissioner Simon Cruz	1	
		Mayor David Dermer	1	
Housing Authority	5	Mayor David Dermer	1	Page 26
Miami Beach Commission on Status of Women	21	Commissioner Jose Smith	1	Page 29
Miami Beach Sister Cities	24	Mayor David Dermer	4	Page 32
Parks and Recreational Facilities Board	10	Commissioner Jose Smith	1	Page 35
		Commissioner Simon Cruz	1	
Safety Committee	14	Commissioner Saul Gross	1	Page 42
Youth Center Advisory Board	10	Commissioner Luis R. Garcia, Jr.	1	Page 46

AGENDA ITEM _____
DATE _____

VACANCIES

BOARD OR COMMITTEE:	TOTAL MBRS.	APPOINTED BY:	TOTAL VAC.	PAGE
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Attached is breakdown by Commissioner or City Commission:


JMG:REP/lg

City Commission Committees

Committee	Position	First Name	Appointed by	Appointed
Finance & Citywide Projects Committee				
	Liaison	Patricia Walker	Mayor Dermer	11/25/03
	Alternate	Commissioner Simon Cruz	Mayor Dermer	11/25/03
	Vice-Chair	Commissioner Richard L. Steinberg	Mayor Dermer	11/25/03
	Chairperson	Commissioner Jose Smith	Mayor Dermer	11/25/03
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
Land Use & Development Committee				
	Liaison	Jorge Gomez	Mayor Dermer	11/25/03
	Alternate	Commissioner Jose Smith	Mayor Dermer	11/25/03
	Member	Commissioner Saul Gross	Mayor Dermer	11/25/03
	Chairperson	Commissioner Luis R. Garcia	Mayor Dermer	11/25/03
	Member	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
Neighborhood/Community Affairs Committee				
	Liaison	Vivian Guzman	Mayor Dermer	11/25/03
	Alternate	Commissioner Luis R. Garcia	Mayor Dermer	11/25/03
	Member	Commissioner Richard L. Steinberg	Mayor Dermer	11/25/03
	Chairperson	Commissioner Matti Herrera Bower	Mayor Dermer	11/25/03
	Member	Commissioner Saul Gross	Mayor Dermer	11/25/03

NON-CITY COMMISSION COMMITTEES

Commissioner Matti Herrera Bower

- Miami Beach Transportation Management Association (TMA)
- Dade Cultural Alliance
- Tourist Development Council
- Performing Arts Center Trust (PACT)

Commissioner Luis R. Garcia, Jr.

- Unclassified Employees and Elected Officials Retirement System
- Greater Miami Convention and Visitors Bureau

Commissioner Jose Smith

- Metropolitan Planning Organization

Commissioner Richard L. Steinberg

- Miami-Dade County Homeless Trust Board - Appointed by Miami-Dade League of Cities
- Miami-Dade League of Cities

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R9 - New Business and Commission Requests

- R9A(1) Art In Public Places (Four Appointments)
- R9A(2) Audit Committee (As Determined By The City Commission)
- R9A(3) Board Of Adjustment (Seven Appointments)
- R9A(4) Budget Advisory Committee (Two Appointments)
- R9A(5) Design Review Board (Four Appointments)
- R9A(6) Health Advisory Committee (Four Appointments)
- R9A(7) Health Facilities Authority (One Appointment)
- R9A(8) Historic Preservation Board (Four Appointments)
- R9A(9) Miami Beach Cultural Arts Council (Four Appointments - Pending Slate Of Candidates)
- R9A(10) Normandy Shores Local Government Neighborhood Improvement
- R9A(11) Oversight Committee For General Obligation Bonds (Three Appointments)
- R9A(12) Personnel Board (Three Appointments)
- R9A(13) Planning Board (Three Appointments)
- R9A(14) Visitor And Convention Authority (Three Appointments)

AGENDA ITEM R9A(1)-(14)
DATE 1-12-05



January 6, 2005

Mayor and Commission
City of Miami Beach
1700 Convention Center Drive
Miami Beach, Florida 33139

Dear Mayor and Commission:

The Miami Beach Visitor and Convention Authority (VCA) would like to thank you for your continued support of our efforts for FY 2004/2005. To help the VCA conduct business, we kindly request the reappointment of our Chair, Mr. Steven Haas, Vice Chair, Mr. Jeff Lehman and appoint Belkys Nerey to the open at-large position.

Mr. Haas was elected Chair in December 2004 and has been an active member of the VCA since December 2002. He is currently the General Manager for Tuscan Steak House for China Grill Management, where he has been overseeing the operation of this first class establishment since 1997. Mr. Haas currently co-chairs the Service and Attitude Sub-Committee of the Mayor's Blue Ribbon Task Force on Tourism, which has re-energized the service industry on Miami Beach. A Florida International University marketing graduate, Mr. Haas has extensive experience in the restaurant management and has held positions at The Forge Restaurant, Mayfair Grill, Ensign and Bitter, the Van Dyke Café and Monty Stone Crab and Red Square for China Grill Management.

Mr. Lehman has been Vice Chair since 2003 and has been an active member of the VCA since March 2000. Mr. Lehman currently serves as the General Manager of both the Palms South Beach and National Hotels, two of Miami Beach's premiere hotels. He has been involved with these properties since moving to Miami Beach in 1994. Mr. Lehman also sits on the Board of Directors for the Greater Miami Convention and Visitors Bureau, and owns several residential properties in North Beach and South Beach.

Belkys Nerey is the Emmy award winning anchor of WSVN 7 NEWS. Ms. Nerey started her television career as a reporter for a South Florida cable station before heading for Connecticut to take a job as general assignment reporter for WTNH-8, the ABC affiliate in New Haven. During her nine-year tenure at Miami's WSVN, she has covered major news stories and, up until recently, co-anchored the pop-culture driven Deco Drive.

Thank you,

Grisette Roque Marcos
Executive Director

555 Seventeenth Street
Cc: Robert Parcher, City Clerk
Miami Beach, FL 33139
Ph: 305.673.7050
Fax: 305.673.7063
miamibeachvca.com

R9 - New Business and Commission Requests

R9B(1)	Dr. Stanley Sutnick Citizen's Forum.	(1:30 p.m.)
R9B(2)	Dr. Stanley Sutnick Citizen's Forum.	(5:30 p.m.)

AGENDA ITEM R9B(1)+(2)
DATE 1-12-05

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2004 DEC 28 AM 9:16
CITY MANAGERS OFFICE
BY _____



**CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM**

TO: JORGE M. GONZALEZ
CITY MANAGER

FROM: DAVID DERMER
MAYOR

DATE: DECEMBER 23, 2004

RE: COMMITTEE MEETING OF THE WHOLE

Please schedule a Committee Meeting of the Whole for the January 12, 2005 City Commission Meeting to review the Resident Survey prior to its distribution.

Agenda Item R9C
Date 1-12-05


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**CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM**

**TO: JORGE M. GONZALEZ
CITY MANAGER**

**FROM: SIMON CRUZ
VICE MAYOR** 

DATE: DECEMBER 28, 2004

**RE: AGENDA ITEM
MIAMI TROPICAL MARATHON**

Please place on the January 12th, 2005 City Commission Agenda, a proposal to waive the police service fees for the Miami Tropical Marathon. This marathon has proven to have a great financial economic impact to the City, with an estimated 2,000 room night in Miami Beach.

SC/ml

Agenda Item R9D
Date 1-12-05




miami tropical MARATHON AND HALF MARATHON

Estimated Economic Impact on Miami-Dade County

January 30, 2004 – February 1, 2004

LARGEST MARATHONS & HALF-MARATHONS

<u>Rank</u>	<u>Full-Marathon (26.2 Miles)</u>	<u>Runners</u>	<u>Economic Impact</u>
1	New York City Marathon	37,000	\$140 million (2003)
2	Chicago Marathon	35,000	\$90 million (2001)
3	Honolulu Marathon	22,000	\$81.6 million (2002)
4	Arizona Marathon	20,000	\$41 million (2003)
5	Los Angeles Marathon	18,000	
6	Boston Marathon	17,000	
7	San Diego Marathon	17,000	
8	Marine Corps Marathon (VA)	16,000	
9	Disney Marathon	10,000	
10	Twin Cities Marathon	7,000	

<u>Rank</u>	<u>Half-Marathon (13.1 Miles)</u>	<u>Runners</u>
1	Indianapolis Half-Marathon	23,000
2	Virginia Beach Half-Marathon	13,000
3	Nashville Half-Marathon	10,000
4	Philadelphia Half-Marathon	7,000
5	Atlanta Half-Marathon	7,000



*Toyota Prius Miami Tropical Marathon – combined total: ~7,500 runners, the event is projected to reach 10,000 total participants by 2006.



Sports

Sun-Sentinel
GET THE LATEST BREAK

SOUTH FLORIDA SENTINEL | THURSDAY | NOVEMBER 4, 2004 | SECTION C

MARATHONS PUMPING MONEY INTO S. FLORIDA

South Florida's two marathons, the third annual Toyota Prius Miami Tropical Marathon and inaugural Marathon of the Palm Beaches, are becoming a new source of revenue for the local economy.

According to recent figures, last year's marathon pumped an estimated \$13.6 million into the local economy by attracting more than 8,000 runners and walkers to downtown Miami and Miami Beach.

Sixty-seven percent of the field was from outside of Miami-Dade County. The inaugural Nov. 14 Marathon of the Palm Beaches in downtown West Palm Beach is expected to have the same impact on hotels, restaurants and businesses.

The Miami Tropical Marathon played a big role in the resurgence of running in South Florida. Palm Beach is expected to add to the sport's popularity. Race officials for the Jan. 30 event expect 11,000 runners and walkers with the addition of the Great Florida Bank Tropical 5K Run/Walk on MacArthur Causeway. The Marathon of the Palm Beaches has 3,000 runners and walkers registered with 10 days to go.

At the Chicago and Marine Corps marathons the biggest concern among runners was the impact four hurricanes left on South Florida.

"People walk by asking if Miami is still there, so we give them a brochure and explain that Miami is the same," said Miami Marathon official Danny Elfenbein.

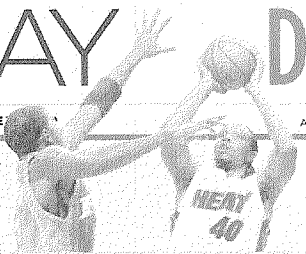
WEISS INJURED

A SPRAINED KNEE LIGAMENT WILL SIDELINE THE PANTHERS CENTER, 5D



MOST IMPROVED PLAY

THE HEAT'S UDONIS HASLEM'S OFFENSIVE DISPLAY PUTS HIM IN THE SPOTLIGHT, 6D



MIAMI TROPICAL MARATHON



EARLY RISERS: Shortly after a predawn start, runners in Sunday's marathon cross the MacArthur Causeway, with the Port of Miami-Dade bridge looming in the background.

Rain doesn't reign in their parade

A fitting winner for a hardy race

Last year Mother Nature smiled on Miami's beautiful new marathon. Sunday, she spat on it.

The rain relented intermittently throughout the race, but for most of the 26.2 miles, runners felt like they were passing under spindlers, which isn't so horrible when the temperature is climbing toward 72 degrees.

As women's winner Stacie Albourek said, "You'll take the rain over the heat any



LINDA ROBERTSON
herald.com

day." Despite squishy shoes and chafing shorts, the runners adopted Gene Kelly's attitude toward the rain. Marathoners are a hardy lot. They wouldn't do this if it was easy and pleasant.

The inaugural Toyota Prius Miami Tropical Marathon was blessed by a 51-degree dawn that illuminated the Art Deco district, the downtown skyline and the

*TURN TO ROBERTSON, 14D

SMART BOX



CARL JUSTE/HERALD STAFF

MEN'S WINNER
William Gomes Amorin
• Residence: Rio de Janeiro
• Age: 28 • Time: 2:14:42



CARL JUSTE/HERALD STAFF

WOMEN'S WINNER
Stacie Albourek
• Residence: Fort Lauderdale
• Age: 36 • Time: 2:42:32

Ignoring the wet weather, William Gomes Amorin wins the overall title, and Stacie Albourek takes the women's crown at the second annual Miami Tropical Marathon.

BY SUSAN MILLER DEGNAN
sdegan@herald.com

Two people with similar goals from very different worlds won the second Toyota Prius Miami Tropical Marathon on Sunday in a downpour that both largely ignored.

One, from Fort Lauderdale, is a former echocardiographer. The other, from Rio de Janeiro, is a former sugarcane cutter.

Both yearn to be Olympians.

They each earned \$7,500, a fortune to Brazilian William

Gomes Amorin and a pleasant bonus to Broward County's Stacie Albourek.

"I'm going to invest in my career, in my athletics," said Gomes Amorin, 28. He took the lead from eventual runner-up Genilson Junio da Silva at 24½ miles, then won his 26.2-mile debut in 2 hours 14 minutes 42 seconds.

Albourek passed women's runner-up Marlene Fortunato, 34, of Brazil, at Mile 25 and crossed the finish in 2:42:32 —

*TURN TO MARATHON, 14D

COLLEGE FOOTBALL

RECRUITS ARE PLAYING IT BY THE NUMBERS

Top recruits often want to keep the same jersey numbers in college, and sometimes the schools are only too happy to accommodate.

BY NARISSA SILVEIRA
msilveira@herald.com

When trying to lure a blue-chip football recruit, some coaches will play a numbers game.

If a high school player's jersey number is important to the player, coaches will find ways to make that number available.

Apparently no number is off-limits, not even a retired number. Carol City linebacker Willie Wil-

liams mentioned in his weekly recruiting diary for The Herald that when he took his recruiting visit to Florida State three weeks ago, his No. 17 was on a Florida State jersey with his name on the back.

"Isn't that number retired for [Heisman winner] Charlie Ward?" Williams said he remarked. "Coach [Bobby] Bowden was like, 'For you Willie, we'll bring it back.'"

Whether or not that promise factors in to a recruit's decision to choose one college over another depends on the individual.

But UM assistant coach Don Sol-

*TURN TO JERSEYS, 2D



PATRICK FARRELL/HERALD STAFF

MAGIC NUMBER: South Miami linebacker Javier Estopinan, above, says UF's Channing Crowder offered him No. 55 if Estopinan chooses to play for the Gators.

GULFSTREAM PARK

'Unsafe' conditions compel track to cancel eight races

Racing is called off after the first two features when jockeys complain about the waterlogged track and refuse to ride. Racing is expected to resume today.

BY FRANK CARLSON
fcarlson@herald.com

The final eight races scheduled for Gulfstream Park on Sunday were canceled because jockeys were concerned about the sloppy condition of the track.

"The track is unsafe," jockey Jorge Chavez said. "All the jockeys decided not to ride. In some places, the mud was up to the horse's knees."

More than four inches of rain fell in the area during a 24-hour span.

"I didn't ride either of the first two races," said John Velazquez, the leading jockey at the meeting with 29 wins. "But everyone who rode came back complaining about how bad the track conditions were."

After the first two races, a dozen jockeys walked the stretch and clubhouse turn before voting to suspend racing.

"It's very uneven," Velazquez said. "You take one step and sink in to your knee, and the next step is only

*TURN TO GULFSTREAM, 5D

BACKGROUND INFORMATION

This economic impact study was conducted by PR Racing, Inc. in the weeks following the 2004 event. Quantitative information for this report was gathered from registrants on their applications. Participants were required to include the following information on their race registration:

PLEASE COMPLETE THE REQUIRED DATA:

How are you traveling here? Air # of seats 2
 Name of airline: Delta
 (How many nights are you staying?) 2
 Number in your party? 4
 Are you staying in a hotel? yes
 Name of hotel: Courtyard by Marriott # of nights 4
 Number of rooms: 1 Rental company:
 Did you rent a car? no
 Number of days car was rented:

SAMPLE:

2004 Toyota Prius Miami Tropical Marathon Confirmation Card

Name: Jeff Bui YOUR BIB # IS: 1281

You MUST present this card and a photo identification IN PERSON to pick up your bib number. NO EXCEPTIONS. There is no race number pick-up on Race Day, Sunday, February 1st.

Please make any necessary corrections directly on this form.

Your Gender is: M Your Age is: 42
 Your Race is: Marathon / Half Marathon / Wheelchair Marathon
 Address: 645 ME WILSON RD
 City: LEONARD State: PA Zip: 17042

PLEASE COMPLETE THE REQUIRED DATA:

How are you traveling here? Air # of seats 2
 Name of airline: Delta
 (How many nights are you staying?) 2
 Number in your party? 4
 Are you staying in a hotel? yes
 Name of hotel: Courtyard by Marriott # of nights 4
 Number of rooms: 1 Rental company:
 Did you rent a car? no
 Number of days car was rented:

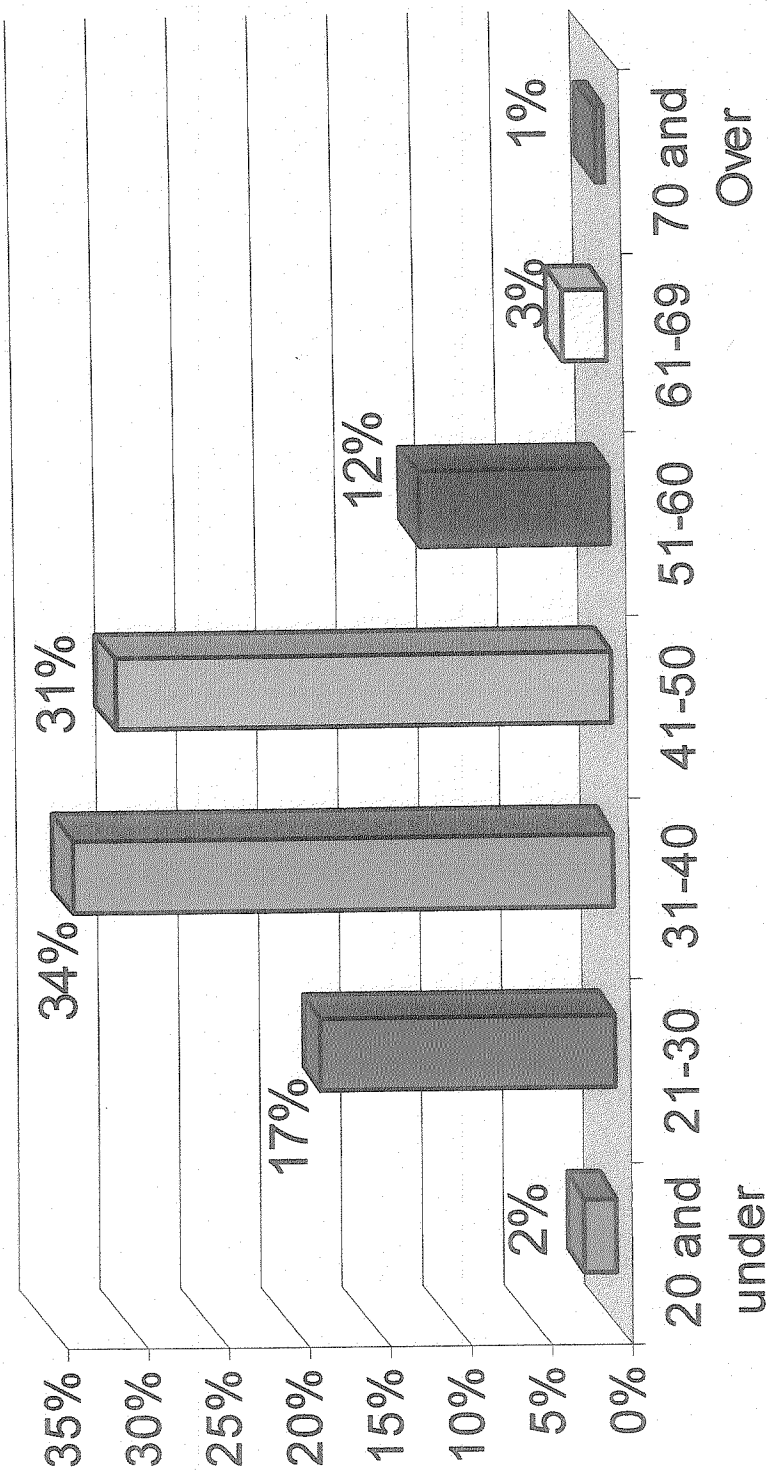
All registrations are entered into a database and information is then extrapolated for research. The information is the basis for the following impact report outlining the Total Economic Impact of the Toyota Prius Miami Tropical Marathon on the City of Miami, Miami Beach and surrounding areas of Miami-Dade County.

PARTICIPANT DEMOGRAPHICS

Average age of runners: 39 years old

Gender: Male 54% Female 46%

Age Group:



ECONOMIC IMPACT

2004 Economic Impact numbers were devised using a base formula provided by the Greater Miami Convention and Visitors Bureau (GMCVB):

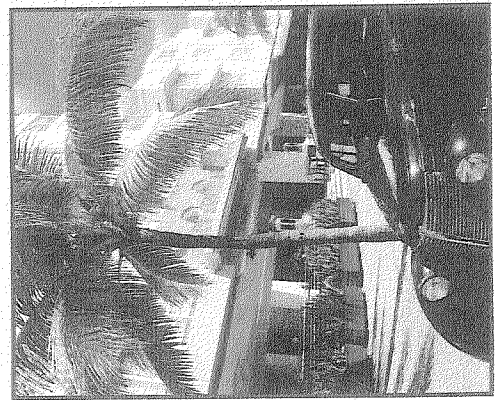
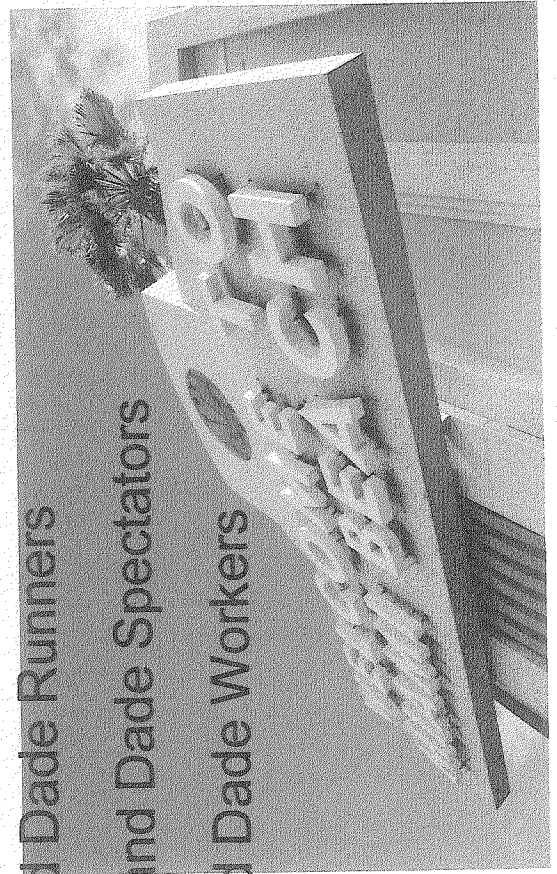
Total Overnight Visitors x Avg. Daily Expenditure x Avg. Length of Stay

+

Total Non-Overnight Visitors x Avg. Daily Expenditure x Avg. Length of Stay

Some of the estimated values given by the GMCVB were replaced with information gathered by PR Racing (i.e. Hotel Rate, Car Rental Rates, etc.). Therefore, the base formula was used but calculated separately in order to account for the different variables in visitors, which includes:

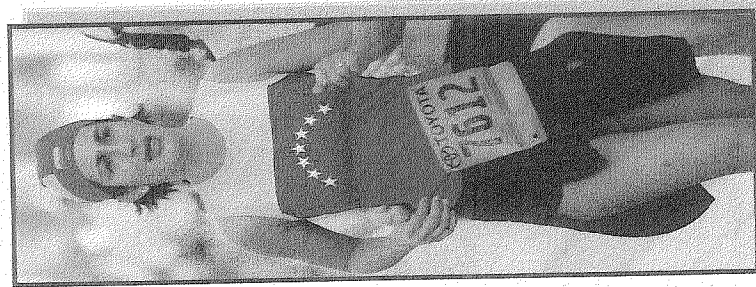
- Non-Dade Runners and Dade Runners
- Non-Dade Spectators and Dade Spectators
- Non-Dade Workers and Dade Workers



ECONOMIC IMPACT- RUNNERS

The runner population is made up of runners from 50 states and 42 countries worldwide. This report refers to runners from Miami-Dade County as "internal runners" and those from outside Miami-Dade County as "external runners". "Total runners" refers to the entire population. There is a disparity in the amount of cash outflows from external runners when compared to internal runners, with the biggest difference coming in Hotel Expenditures.

# of External Runners	4828
Average Hotel Stay for Non Miami-Dade Runners	2.67
Estimated Hotel Nights	12,891
Ave. Hotel Rate in Downtown/Miami Beach Hotels	\$146.14
External Impact by Hotel Nights	\$ 1,883,890.74
Ave. Daily Expenditures (not incl. Hotel)	\$187.35
Total Expenditures by External Runners	\$ 2,415,083.89
Total Expenditures by Internal Runners	\$ 446,455.05



TOTAL IMPACT FROM RUNNERS=

\$4,745,429.68

a small sample of where the sea of runners come from:

• New York – 214 • Massachusetts – 100 • Illinois – 111 • Costa Rica – 28 • Ontario – 35 • Pennsylvania – 60 • Bahamas – 32 • Puerto Rico – 40 • Singapore – 2 • Netherlands – 3 • Alaska – 1 • 95 – Brazil •

ECONOMIC IMPACT- SPECTATORS

Because of the nature of road running events, calculation of spectators is extremely difficult. For the purpose of estimating total spectators, this report uses numbers provided by runners on a survey completed during registration. The number is based on the average number of people accompanying runners to the marathon. This number is appropriate for external runners, but is harder to calculate for local runners, including surrounding counties. For the purpose of this report the average number of people accompanying runners is 2.38.



of Total Runners

7211

Average # of Spectators with Runners

2.38

Estimated Spectators

17,162

Average Daily Impact External Spectators

\$ 227.94

Total Expenditures by External Spectators

\$ 2,619,176.48

Average Daily Impact Internal Spectators

\$ 152.09

Total Expenditures by Internal Runners

\$ 862,584.52



TOTAL IMPACT FROM SPECTATORS=

\$3,481,761.00

***Note:** It is assumed that local runners have more spectators accompanying them, however we do not have sufficient data to establish an estimate and use 2.38 for both categories.

ECONOMIC IMPACT- PERSONNEL & RACE PRODUCTION

The organization of a large scale international event such as the marathon involves the cooperation of specialized race management staff, event production staff, and other part-time and full-time employees in all aspects of the race and accompanying events. Additionally, the use of over 1200 volunteers and the influx of surrounding media all have significant impact on this report. In all, the Toyota Prius Miami Tropical Marathon utilized over 2,000 personnel ranging from police, fire, and medical staff to volunteers, exhibitors, and other crucial staff. This report does not calculate the exact number of "staff" which were external to the local community, however, we do have a count of hotel rooms assigned to pertinent full-time workers who utilized the host hotel during their stay. It is known that additional hotel nights were filled by other personnel and the impact given below is a conservative estimate based on known room nights and the estimated total personnel used to produce the event. "External" workers are those who stayed in hotels while "Internal" workers are those who are local or did not stay in a hotel.

Average Daily Expenditure External Workers \$ 320.37

Average Daily Expenditure Internal Workers \$ 152.09

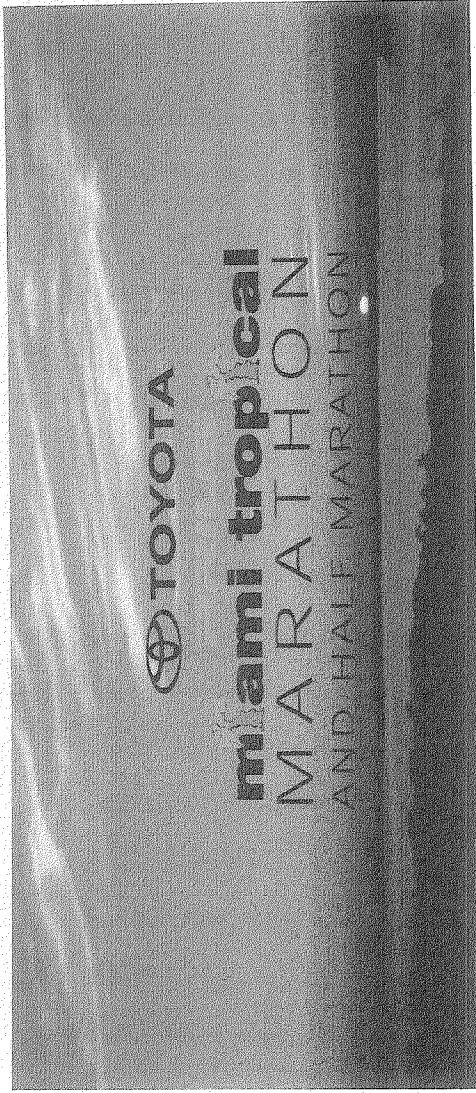
TOTAL IMPACT BY PERSONNEL

\$ 386,564.90

Race Production includes the costs directly related to the production of the event. These costs include the expenditures by organizers on personnel, equipment, supplies, and other items from sources within the community. These costs are considered new inflows to area organizations and businesses directly from the race organizers and sponsors.

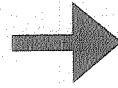
TOTAL IMPACT BY RACE PRODUCTION

\$ 463,000.00



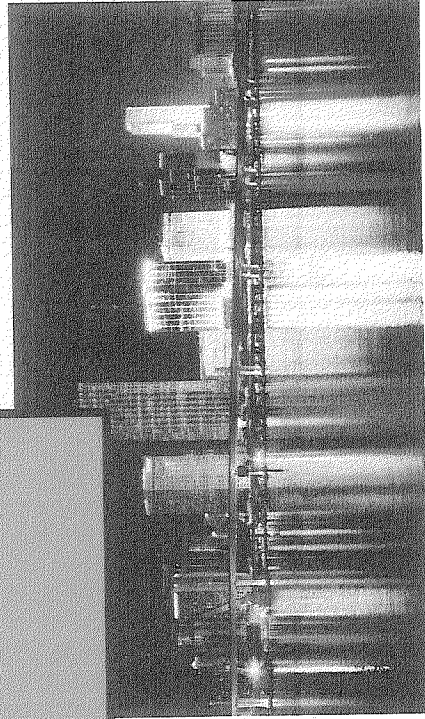
TOTAL DIRECT ECONOMIC IMPACT ON MIAMI-DADE COUNTY

\$ 9,076,757.33



TOTAL INDIRECT ECONOMIC IMPACT ON MIAMI-DADE COUNTY

\$ 13,615,135.99



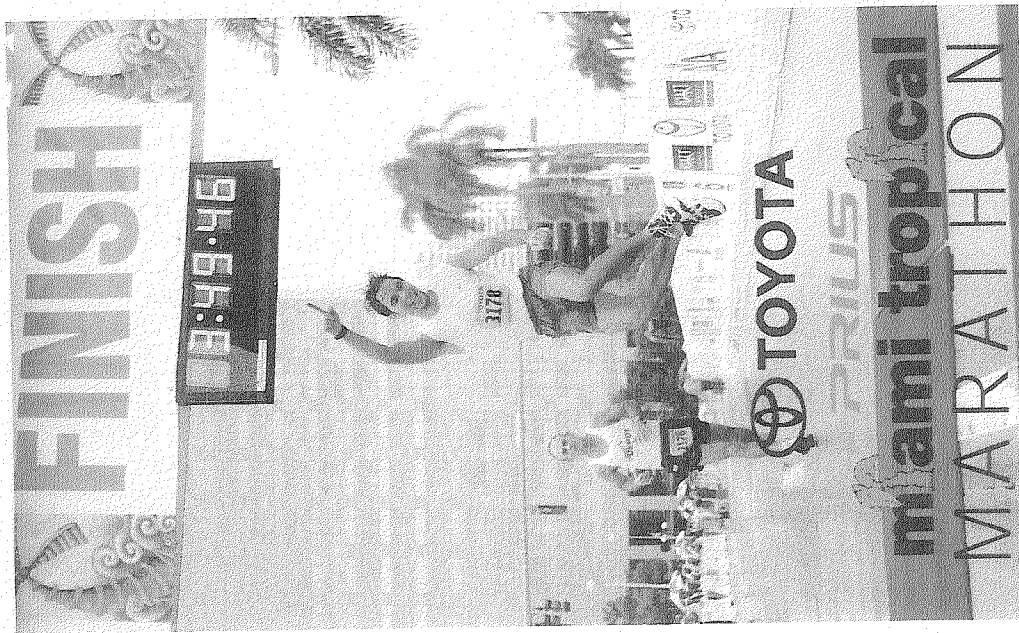
ECONOMIC IMPACT- CONCLUSION

The economic impact provided by a major sports event on its host city and surrounding communities, is a substantial tool in realizing the value, necessity, and the positive impact such an event can provide. In the case of the Toyota Prius Miami Tropical Marathon, the direct and indirect monetary inflows do not include the weight of the message that a large scale running event can have on the members of the community. For the

purpose of this report, we are able to calculate an estimated Direct Economic Impact which includes all monetary inflows created by the runners, spectators, and workers on area businesses and municipalities. Furthermore, there is an Indirect Impact initiated by the expenditures of businesses on other local businesses in order to provide services to race participants. An

example would be a hotel spending money on electricity to provide hotel rooms for an influx of runners. This

Indirect Impact has a calculated multiplier that was provided by the Florida Sports Foundation and equals **1.5** times the Direct Economic Impact.



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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: Discussion: Entertainment Uses

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF MIAMI BEACH, INFORMING THE CITY COMMISSION THAT THE PLANNING BOARD IS CURRENTLY EXAMINING ISSUES RELATED TO ENTERTAINMENT USES WITHIN THE CITY, AND REQUESTING THE CITY COMMISSION'S INPUT AND CONCURRENCE WITH THE DIRECTION OF THE BOARD'S EFFORTS.

The Administration recommends that the City Commission discuss the attached resolution from the Planning Board.

At the December 21, 2004 meeting by a vote of 7-1, the Planning Board passed the subject resolution examining the issues related to entertainment uses, seeking guidance and input from the City Commission.


JMG/CMC/JGG/ML

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Agenda Item R9E
Date 1-12-05

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF MIAMI BEACH, INFORMING THE CITY COMMISSION THAT THE PLANNING BOARD IS CURRENTLY EXAMINING ISSUES RELATED TO ENTERTAINMENT USES WITHIN THE CITY, AND REQUESTING THE CITY COMMISSION'S INPUT AND CONCURRENCE WITH THE DIRECTION OF THE BOARD'S EFFORTS.

WHEREAS, the City Commission, at its May 5, 2004 meeting, directed the Planning Board to look at where the City would like to encourage nightlife investments in the different entertainment sections of the City and to look at the issues involving entertainment uses in general throughout the City; and

WHEREAS, the Planning Board has been discussing matters related to this referral at its meetings over the past several months, including two public meetings; and

WHEREAS, at its November 23, 2004 meeting, the Planning Board conducted a discussion of the issues presented by Planning Department staff, discussed the matter of entertainment uses within the city, and voted to send the following Resolution to the City Commission,

NOW THEREFORE, THE FOLLOWING IS DULY RESOLVED BY THE PLANNING BOARD OF THE CITY OF MIAMI BEACH:

The Planning Board wishes to inform the City Commission that in order to discharge their referral to the Planning Board to look at the entertainment uses and residential quality of life, the Planning Board is proposing to study the following issues:

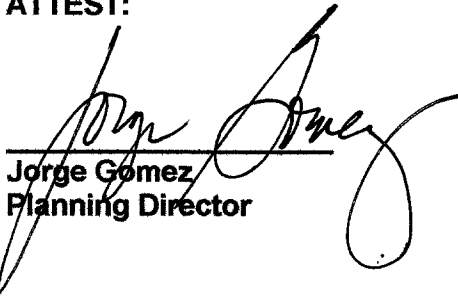
- Study the accessory use regulations relating to entertainment uses, including accessory uses in hotels and condo-hotels.
- Revising the definition of "entertainment" in the City Code.
- Redefining the areas of the City where entertainment uses are allowed to proliferate, particularly studying those areas where entertainment uses are permitted in close proximity to residential areas.

- Study whether there is merit to the idea of creating entertainment districts in areas of the City where there is already an existing concentration of entertainment venues, including how to address the associated issues created by a concentration of such uses.

Because consideration of these issues will require significant Board time and staff resources, the Planning Board wishes to ask the Commission for their feedback as to whether they want the Board to continue the process of looking into and studying the issues detailed above.

PASSED AND ADOPTED THIS 21 day of December, 2004.

ATTEST:



Jorge Gomez
Planning Director



Victor Diaz
Chair, Planning Board

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R9 - New Business and Commission Requests

- R9F Verbal Report To The City Commission On The Coastal Communities Meeting Convened By The Mayor And City Manager On January 10, 2005 To Discuss A Multi-City Grant Application To Undertake A Regional Transportation Study.
(City Manager's Office)

AGENDA ITEM R9F
DATE 1-12-05

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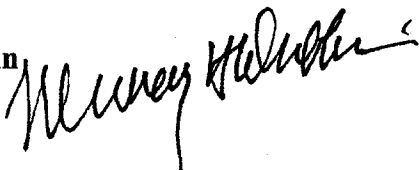
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**CITY OF MIAMI BEACH
CITY ATTORNEY'S OFFICE**

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2005 JAN 6 AM 11:09
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BY _____

**TO: Jorge M. Gonzalez
City Manager**

**FROM: Murray H. Dubbin
City Attorney**



DATE: January 6, 2005

**SUBJECT: RDP Royal Palm Hotel Limited Partnership – Amendment to Declaration of
Covenants and Restrictions**

Please place the above subject on the January 12, 2005 Agenda for discussion of requested changes in the above referred to instrument.

cc: Mayor David Dermer
Members of the City Commission
Joel Minsker

Agenda Item R96
Date 1-12-05

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**CITY OF MIAMI BEACH
OFFICE OF THE MAYOR & COMMISSION
MEMORANDUM**

TO: JORGE GONZALEZ
CITY MANAGER

FROM: RICHARD STEINBERG RLS/dm
COMMISSIONER

DATE: January 6, 2005

RE: Discussion Item regarding FDOT's Harding Avenue Project

Please place an item for discussion on the January 12th Commission agenda regarding FDOT's Harding Avenue Project.

I would like to kindly request that the Administration invite representatives from FDOT to attend our meeting. My office will be requesting a time certain. If you have any questions, please feel free to contact my Aide, Ms. Dolores Mejia, at extension 6834.

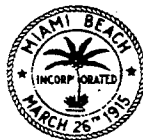
RLS/dm

Agenda Item R9H
Date 1-12-05

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City of Miami Beach

F L O R I D A



MURRAY H. DUBBIN
City Attorney

Telephone: (305) 673-7470
Telecopy: (305) 673-7002

COMMISSION MEMORANDUM

DATE: January 12, 2005

TO: Mayor David Dermer
Members of the City Commission
City Manager Jorge M. Gonzalez

FROM: Murray H. Dubbin
City Attorney

SUBJECT: City Attorney's Status Report

I. LAWSUITS FILED BY OR AGAINST THE CITY OF MIAMI BEACH SINCE THE LAST REPORT

1. Casablanca Condominium Association of Miami Beach, Inc., a Florida non-profit Corporation vs. Ines Cabal et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-25164 CA 10

This is a mortgage foreclosure case for real property located at 6345 Collins Avenue, Miami Beach, Florida. There are monies owed for Utilities (water, sewer, storm water), Resort Tax liens, City Bills, Special Master liens and Special Assessment owed to the City. An Answer was filed on December 15, 2005.

2. Casablanca Condominium Association of Miami Beach, Inc., a Florida non-profit Corporation vs. Leocadia Otero et al. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-25167 CA 05

This is a mortgage foreclosure case for real property located at 6345 Collins Avenue, Miami Beach, Florida. There are monies owed for Utilities (water, sewer, storm water), Resort Tax liens, City Bills, Special Master liens and Special Assessment owed to the City. An Answer was filed on December 15, 2005.

Mayor David Dermer
Members of the City Commission
City Manager Jorge M. Gonzalez
Page 2
January 12, 2005

3. Aron Frankel vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-24639 CA 32

The City was served with this complaint on December 6, 2004, alleging that on April 18, 2004 the plaintiff was caused to trip and fall over a concrete border surrounding a palm tree on Collins Avenue just south of 65th Street due to a rise in the border. The plaintiff alleges to have sustained a fractured hip. An Answer and Affirmative Defenses will be timely filed and discovery propounded.

4. Michael E. Hadley vs. G. Gutierrez et al. United States District Court, Southern District of Florida, Case No. 03-23170 CIV-Jordan

Mr. Hadley has brought suit against three Miami Beach Police Officers individually alleging excessive force under 42 USC §1983 during a February 2002 arrest. One officer has been served and an answer has been filed. The other two officers have not been served.

5. Nelson Padin vs. City of Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-25812 CA 11

Plaintiff filed suit seeking enforcement of a Final Order entered by the Miami Dade County Equal Opportunity Board finding the City discriminated against Padin because of his age when he was terminated. The City has filed a Petition for Writ of Certiorari seeking a hearing of appeal of the Final Order. The City's response to the Complaint is due January 13, 2005.

6. Flance Registe vs. City of Miami Beach Police Department. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-25547 CA 25

The City of Miami Beach Police Department was served with this complaint on December 10, 2004, wherein the plaintiff alleges to have been shot in his leg by a City of Miami Beach Police Officer acting with negligence and using deadly force. The plaintiff alleges civil rights violations. A motion to dismiss the Police Department with prejudice has been filed. The matter will be transferred to Federal Court.

Mayor David Dermer
Members of the City Commission
City Manager Jorge M. Gonzalez
Page 3
January 12, 2005

7. Luis Arraiz vs. City of Miami Beach a municipal corporation, Officer Thomas Lincoln, Former Chief Richard R. Barreto, and Senor Frogs a Florida Corporation d/b/a Senor Froggs Miami Beach. Eleventh Judicial Circuit, General Jurisdiction, Case No. 04-25469 CA 22

The City was served with this civil rights complaint on December 28, 2004, wherein the Plaintiff alleges that on December 3, 2000 the City used excessive force, assaulted and battered the plaintiff, falsely arrested the plaintiff and was guilty of various violations of 42 USC 1983. This matter will be transferred by the City to Federal Court.

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.ci.miami-beach.fl.us



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **PARKING STATUS REPORT**

The following comments serve to preface attended parking facilities (garages and lots) performance for the month of November 2004. In November 2004, gross revenues at attended facilities (garage and lots) increased by .35% as compared to the prior year's period.

During the month of November 2004, the Parking Department's attended locations earned a net profit of \$511,898.09. This is a decrease in net profit of \$17,475.91 or 3.30% as compared to the same period in the prior year. The year to date net profit is \$1,027,769.38. This is an increase in net profit of \$18,841.72 or 1.87%.

A) 17th Street Municipal Parking Garage: November 2004

During the month of November 2004, the 17th Street Garage had net revenues of \$236,065.81. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of \$57,120.00, transient parking revenues of \$172,645.81, and valet rental fees of \$6,300.00. Net revenues increased from \$225,065.37 in 2003, to \$236,065.81 in 2004; a 4.89% increase in net revenues. After subtracting operating expenses of \$89,338.69 the facility had a net profit for the month in the amount of \$146,727.12. This represents an increase in net profit for the facility in the amount of \$1,190.63 or .82% when compared to the same period in the previous year. This increase is primarily attributable to an increase in transient parking revenues. The 17th Street Garage served a total of 83,516 parkers in the month of November, 2004.

B) 7th Street Municipal Parking Garage: November 2004

During the month of November 2004, the 7th Street Municipal Parking Garage had net revenues of \$142,121.49. Net revenues are total revenues collected, minus sales tax, and are comprised of facility-specific access-card revenues of \$13,800.00 and transient parking revenues of \$128,321.49. When compared to the same month in the prior year (November 2003), net revenues decreased from \$153,079.56 in 2003, to \$142,121.49 in 2004; a 7.16% decrease in net revenues. After subtracting operating expenses of \$54,633.99 and debt service of \$59,500.00 the facility had a net profit for the month in the amount of \$27,987.50. This is a decrease in net profit of \$14,370.55 or 33.93% as compared to the same period in the previous year. This decrease is primarily attributable to a decrease in transient parking revenues of \$11,520.57 and an increase in garage cleaning expenses of \$4,543.00. The 7th Street Garage served a total of 30,148 parkers in the month of

Agenda Item B

Date 1-12-05

November, 2004.

C) 5-A Municipal Surface Parking Lots (Washington Avenue to Pennsylvania and 17th Street): November 2004

During the month of November 2004, the 5-A Surface Lots had net revenues of \$152,105.03. Net revenues are comprised of facility-specific access-card revenues of \$17,820.00 and transient parking revenues of \$134,285.03. When compared to the same period in the prior year, (November 2003), net revenues decreased from \$153,750.66 in 2003, to \$152,105.03 in 2004; representing a 1.07% decrease in net revenues. After subtracting operating expenses of \$27,323.11, the facility had a net profit for the month in the amount of \$124,781.92. This is a decrease in net profit of \$1,438.32 or 1.14% from November 2003. This decrease is primarily attributable to a decrease in transient parking revenues of \$1,105.63. The 5-A Municipal Surface Parking Lot served a total of 46,963 parkers in the month of November, 2004.

D) 12th Street Municipal Parking Garage: November 2004

During the month of November 2004, the 12th Street Garage had net revenues of \$33,104.67. Net revenues are comprised of facility-specific monthly parking revenues of \$4,800.00 and transient parking revenues of \$28,304.67. When compared to the same month in the prior year (November 2003), net revenues increased from \$30,445.79 in 2003, to \$33,104.67 in 2004; an 8.73% increase in net revenues. After subtracting operating expenses of \$16,079.71 the facility had a net profit for the month in the amount of \$17,024.96. This is an increase in net profit of \$4,431.86 or 35.19%. This increase is primarily attributable to an increase in transient parking revenues of \$2,958.88 and a decrease in security personnel expense of \$1,347.84. The 12th Street Garage served a total of 4,877 parkers in the month of November 2004.

E) 13th Street Municipal Parking Garage: November 2004

During the month of November 2004, the 13th Street Garage had net revenues of \$57,710.08. Net revenues are comprised of facility-specific monthly parking permit revenues of \$8,340.00 and transient parking revenues of \$49,370.08. Compared to the same month in the prior year (2003), net revenues increased from \$54,810.86 in 2003, to \$57,710.08 in 2004; representing a 5.29% increase in net revenues. After subtracting operating expenses of \$29,890.89, the facility had a net profit for the month in the amount of \$27,819.19. This is an increase in net profit of \$3,493.49 or 14.36% from November 2003 and is primarily attributable to an increase in transient parking revenues of \$2,239.22 and an increase in monthly parking permit revenues of \$660.00. The 13th Street Garage served a total of 11,880 parkers in the month of November 2004.

F) 16th Street-Anchor Parking Garage: November 2004

During the month of November, 2004, the 16th Street Garage had net revenues of \$133,864.70. Net revenues are comprised of facility-specific monthly parking revenues of \$30,060.00, transient parking revenues of \$82,514.96, and valet rental fees of \$21,289.74. Compared to the same month in the prior year (2003), net revenues increased from

\$133,733.31 in 2003, to \$133,864.70 in 2004; representing a .10% increase in net revenues. After subtracting operating expenses of \$45,033.75 the facility had a net profit for the month in the amount of \$88,830.95. This is a decrease in net profit of \$8,443.25 or 8.68% from November 2003 and is primarily attributable to a decrease in transient parking revenues of \$2,691.72 and an increase in garage cleaning expenses of \$6,318.00. The 16th Street Garage served a total of 21,326 parkers in the month of November, 2004.

G) 42nd Street Municipal Parking Garage: November 2004

During the month of November, 2004, the 42nd Street Garage had net revenues of \$36,447.87. Net revenues are comprised of facility-specific monthly parking revenues of \$33,360.00 and transient parking revenues of \$3,087.87. Compared to the same month in the prior year, 2003, net revenues decreased from \$37,743.56 in 2003, to \$36,447.87 in 2004; representing a 3.43% decrease in net revenues. After subtracting operating expenses of \$17,221.42 the facility had a net profit for the month in the amount of \$19,226.45. This is a decrease in net profit of \$2,339.77. This decrease is primarily attributable to an increase in garage cleaning expenses of \$1,612.00. The 42nd Street Garage served a total of 18,044 parkers in the month of November, 2004.

H) Electronic Parking Meter Revenue Comparison: November 2004

This statement compares parking meter revenue collected in November 2004, with revenue collected in November 2003. When comparing revenues for November 2004 in the amount of \$772,582.29 to revenues for November 2003 in the amount of \$612,357.94, the report reflects an increase of \$160,224.35 or 26.17% in revenues collected. Meter revenue collected does not reflect the change in monthly decal parkers (both commercial and residential), valet rental or construction rental of meters, or metered surface lots either taken out of service, or managed differently than the previous year. In the month of November 2004 decal and permit revenue received was \$85,330.84 and meter rental revenue (valet, construction, and special events) was \$69,662.97 versus \$60,100.48 and \$72,034.05 respectively in November 2003. The combined total revenue produced at meters for the month of November 2004 was \$927,576.10. This reflects an increase from the previous year in the amount of \$183,083.63 or 24.59%.

I) Parking and Transportation Smart Card Sales: November 2004

In the month of November 2004, the Parking Department sold 1,658 Parking Meter Cards to merchants, vendors, hoteliers, and the public, for revenues in the amount of \$44,680.00.

J) Hotel Hangtag Sales: November 2004

In the month of November 2004, the Parking Department sold 1,650 hotel hangtags to hoteliers in the amount of \$9,900.00.

K) Multi-Space Parking Meter Pilot Program: November 2004

Parkeon (formerly known as Schlumberger-Sema), at no cost to the City, has provided six (6) multi-space parking meters on an experimental basis for an on-street (Ocean Drive) and off-street (777-17th Street Lot) application. Both applications are configured in a "pay-and-display" mode. Upon receipt of payment, the multi-space meter issues a receipt that is displayed on the vehicles' dashboard. The multi-space meters were installed in January 2003. Year to date the multi-space meters on Ocean Drive have yielded an 11.57% decrease over the prior year and the machine installed in the parking lot at 777 17th Street has earned a 36.91% increase.

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY
November 2004**

LOCATION	REVENUE			EXPENSES			PROFIT/(LOSS)	
	2003 November	2004 November	Percent of Increase/ (Decrease)	2003 November	2004 November	Percent of Increase/ (Decrease)	2003 November	2004 November
17 St. Garage	225,065.37	236,065.81	4.89%	79,528.88	89,338.69	12.33%	145,536.49	146,727.12
7th St. Garage	153,079.56	142,121.49	-7.16%	51,221.51	54,633.99	6.66%	101,858.05	87,487.50
17th St. Lots	153,750.66	152,105.03	-1.07%	27,530.42	27,323.11	-0.75%	126,220.24	124,781.92
12th St. Garage	30,445.79	33,104.67	8.73%	17,852.69	16,079.71	-9.93%	12,593.10	17,024.96
13th St. Garage	54,810.86	57,710.08	5.29%	30,485.16	29,890.89	-1.95%	24,325.70	27,819.19
42nd St. Garage	37,743.56	36,447.87	-3.43%	16,177.34	17,221.42	6.45%	21,566.22	19,226.45
16th St. - Anchor	133,733.31	133,864.70	0.10%	36,459.11	45,033.75	23.52%	97,274.20	88,830.95
Totals	788,629.11	791,419.65	0.35%	259,255.11	279,521.56	7.82%	529,374.00	511,898.09
								(17,475.91)
								-8.68%
								-3.30%
17 St. Garage	161.69	61.19	100.50	The 17th Street Garage has 1,460 spaces.				
7th St. Garage	220.00	84.57	135.43	The 7th Street Garage has 646 spaces.				
17th St. Lots	300.60	54.00	246.60	The 17th Street Lots have 506 spaces.				
12th St. Garage	247.05	120.00	127.05	The 12th Street Garage has 134 spaces.				
13th St. Garage	201.78	104.51	97.27	The 13th Street Garage has 286 spaces.				
42nd St. Garage	58.79	27.78	31.01	The 42nd Street Garage has 620 spaces.				
16th St. - Anchor	166.71	56.08	110.62	The 16th Street - Anchor Garage has 803 spaces.				

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
FINANCIAL REPORT SUMMARY - YEAR TO DATE
October 2004 - November 2004**

LOCATION	REVENUE			EXPENSES			PROFIT/(LOSS)		
	2003 November YTD	2004 November YTD	Percent of Increase/ (Decrease)	2003 November YTD	2004 November YTD	Percent of Increase/ (Decrease)	2003 November YTD	2004 November YTD	Percent of Increase/ (Decrease)
17 St. Garage	411,424.91	445,642.99	8.32%	151,674.66	171,409.24	13.01%	259,750.25	274,233.75	5.58%
7th St. Garage	305,659.12	311,571.50	1.93%	102,302.07	116,337.72	13.72%	203,357.05	195,233.78	-3.99%
17th St. Lots	293,852.59	317,945.58	8.20%	52,322.80	51,918.55	-0.77%	241,529.79	266,027.03	10.14%
12th St. Garage	62,026.53	68,390.83	10.26%	35,093.52	34,642.17	-1.29%	26,933.01	33,748.66	25.31%
13th St. Garage	110,939.20	107,034.36	-3.52%	59,882.78	62,841.74	4.94%	51,056.42	44,192.62	-13.44%
42nd St. Garage	75,714.04	73,464.14	-2.97%	31,777.57	37,761.33	18.83%	43,936.47	35,702.81	-18.74%
16th St. - Anchor	256,924.44	271,930.33	5.84%	74,559.77	93,299.60	25.13%	182,364.67	178,630.73	-2.05%
Totals	1,516,540.83	1,595,979.73	5.24%	507,613.17	568,210.35	11.94%	1,008,927.66	1,027,769.38	1.87%

Revenue Per Space	Expenses Per Space	Profit/(Loss) Per Space
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17 St. Garage	305.23	117.40	187.83	The 17th Street Garage has 1,460 spaces.
7th St. Garage	482.31	180.09	302.22	The 7th Street Garage has 646 spaces.
17th St. Lots	628.35	102.61	525.75	The 17th Street Lots have 506 spaces.
12th St. Garage	510.38	258.52	251.86	The 12th Street Garage has 134 spaces.
13th St. Garage	374.25	219.73	154.52	The 13th Street Garage has 286 spaces.
42nd St. Garage	118.49	60.91	57.59	The 42nd Street Garage has 620 spaces.
16th St. - Anchor	338.64	116.19	222.45	The 16th Street - Anchor Garage has 803 spaces.

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Garage - 2G						
Revenue						
Revenue-Ticket	480-8000-344583	162,005.37	172,645.81	10,640.44		
Revenue - Valet	480-8000-344583	6,300.00	6,300.00	0.00		
Revenue-Monthly Permits	480-8000-344514	<u>56,760.00</u>	<u>57,120.00</u>	<u>360.00</u>		
	17th Street - 2G REVENUE (Sales Tax Excluded)	225,065.37	236,065.81	11,000.44	4.89%	\$161.69
Expenses						
Security Personnel		16,574.30	15,849.77	(724.53) (1).		
Attendant/Cashier Labor		48,342.11	51,214.30	2,872.19 (2).		
FP&L		6,473.39	5,949.62	(523.77) (3).		
Revenue Control Equipment Maintenance		1,666.67	4,551.67	2,885.00 (4).		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Elevator Maintenance		613.00	425.00	(188.00)		
Landscape Maintenance		108.33	108.33	0.00		
Garage Cleaning/Maintenance		<u>5,331.08</u>	<u>10,820.00</u>	<u>5,488.92</u> (5).		
	17th St. Garage - 2G EXPENSES	79,528.88	89,338.69	9,809.81	12.33%	\$61.19
	17th St. Garage PROFIT/(LOSS)	145,536.49	146,727.12	1,190.63	0.82%	\$100.50
Number of Spaces						1460

- Notes:**
The 17th Street Garage has 1460 spaces. Approximately 40% of the annual revenue is from monthly parkers including valet rentals. The remainder of income is derived from Lincoln Road, Conventions, TOPA, and the New World Symphony.
- (1). November 2003 Security Personnel reported figure equates to 1,350.80 total labor hours, as opposed to 1,291.75 total labor hours in November 2004.
- (2). November 2003 Attendant/Cashier Labor cost is comprised of 4,397 total labor hours, as opposed to 4,640.75 total labor hours in November 2004. This increase is due to the Auto Show.
- (3). November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is the October 2004 invoice amount.
- (4). November 2004 Revenue Control Equipment Maintenance cost reflects the regular monthly service charge of \$1,666.67, plus charges of \$550 and \$110 for two service calls, and a charge of \$2,225 for a new gate arm. All additional charges stem from a gate arm being struck by a vehicle.
- (5). November 2004 Garage Cleaning/Maintenance charge of \$10,820 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

**City of Miami Beach
Parking Department
Daily Revenue Report
17th Street Garage - 2G**

November 2004

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Monday	2,264	19:00 - 19:59	373	2,699.07
2	Tuesday	2,432	15:00 - 15:59	260	2,027.10
3*	Wednesday	2,818	17:00 - 17:59	367	2,038.32
4	Thursday	3,111	17:00 - 17:59	361	3,005.61
5	Friday	3,747	19:00 - 19:59	729	8,707.48
6	Saturday	4,562	19:00 - 19:59	769	16,022.43
7	Sunday	4,310	17:00 - 17:59	794	16,176.64
8	Monday	2,316	18:00 - 18:59	389	3,942.06
9	Tuesday	2,429	18:00 - 18:59	370	4,077.57
10	Wednesday	2,813	19:00 - 19:59	434	5,279.44
11	Thursday	3,173	19:00 - 19:59	523	9,135.51
12	Friday	3,723	19:00 - 19:59	621	9,242.06
13	Saturday	4,661	16:00 - 16:59	905	16,627.10
14	Sunday	4,198	17:00 - 17:59	779	13,451.40
15	Monday	2,051	17:00 - 17:59	351	2,068.22
16	Tuesday	2,319	17:00 - 17:59	346	2,518.69
17	Wednesday	2,224	17:00 - 17:59	358	2,442.99
18	Thursday	2,233	17:00 - 17:59	333	2,403.74
19	Friday	3,395	20:00 - 20:59	616	6,357.01
20	Saturday	2,916	22:00 - 22:59	506	6,860.75
21	Sunday	2,639	19:00 - 19:59	553	6,190.65
22	Monday	1,844	17:00 - 17:59	291	1,940.19
23	Tuesday	1,975	18:00 - 18:59	307	2,317.76
24	Wednesday	2,191	16:00 - 16:59	310	3,085.05
25	Thursday	939	15:00 - 15:59	162	1,242.99
26	Friday	2,660	16:00 - 16:59	394	5,667.29
27	Saturday	2,765	20:00 - 20:59	510	6,389.72
28	Sunday	2,638	16:00 - 16:59	466	5,644.86
29	Monday	1,965	17:00 - 17:59	336	2,848.60
30	Tuesday	2,205	18:00 - 18:59	329	2,235.51
	TOTAL	83,516			\$172,645.81
MONTHLY PERMIT REVENUE					\$57,120.00
VALET REVENUE					\$6,300.00
TOTAL NET REVENUE					\$236,065.81

Note: * Due to a computer error, the Peak Period and the Peak Vehicle Count were unable to be obtained for Wednesday, November 3, 2004. Therefore, the above figures are averages of the three other Wednesdays during the month of November 2004.

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
7th Street Garage - 1G						
Revenue						
Revenue-Ticket	142-8000-344404	139,842.06	128,321.49	(11,520.57)		
Revenue-Monthly Permits	142-8000-344404	<u>13,237.50</u>	<u>13,800.00</u>	<u>562.50</u>		
	7th Street - 1G REVENUE (Sales Tax Excluded)	153,079.56	142,121.49	(10,958.07)	-7.16%	\$220.00
Expenses						
Security Personnel		21,816.06	21,202.56	(613.50) (1).		
Attendant/Cashier Labor		17,668.48	17,406.81	(261.67)		
Landscape Maintenance		1,114.00	918.67	(195.33) (2).		
FP&L		3,067.37	3,067.37	0.00 (3).		
Revenue Control Equipment Maintenance		700.00	700.00	0.00		
Garage Cleaning/Maintenance		4,699.00	9,242.00	4,543.00 (4).		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Elevator Maintenance		1,202.00	1,065.17	(136.83) (5).		
Surveillance System Maintenance		<u>534.60</u>	<u>611.41</u>	<u>76.81</u> (6).		
	7th Street - 1G EXPENSES	51,221.51	54,633.99	3,412.48	6.66%	\$84.57
	7th St. Estimated Debt Service	59,500.00	59,500.00	0.00	0.00%	\$92.11
	7th St. PROFIT/(LOSS)	42,358.05	27,987.50	(14,370.55)	-33.93%	\$43.32
Number of Spaces						646

Notes:

Generators for this garage are local workers, restaurants, hotels, construction, visitors to SOBE, local beach goers, restaurant patrons, and nightclub patrons.

(1.) November 2003 Security Personnel reported figure equates to 1,778 total labor hours, as opposed to only 1,728 total labor hours in November 2004.

(2.) November 2003 Landscape Maintenance charge reflects the regular monthly service charge of \$918.67, plus a charge of \$195.33 for additional maintenance services.

(3.) November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(4.) November 2003 Garage Cleaning/Maintenance charge of \$4,699 reflects the regular monthly service charge of \$4,864 and a \$165 credit for 20 hours of missed shifts. November 2004 Garage Cleaning/Maintenance charge of \$9,242 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage"

(5.) November 2003 Elevator Maintenance charge reflects the regular monthly service charge of \$985, plus a charge of \$217 for an additional service call.

(6.) November 2004 Surveillance System Maintenance charge of \$611.41 reflects the new regular monthly service charge from Advance Technology (ATC).

City of Miami Beach
Parking Department
Daily Revenue Report
7th Street Garage - 1G

November 2004

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Space Rental Goldman - No Tax	Daily Space Rental Other - Incl. Tax	Daily Revenue Including Tax
1	Monday	530	18:00 - 18:59	84	387.50	77.58	1,911.00
2	Tuesday	523	13:00 - 13:59	93	387.50	77.58	1,568.00
3	Wednesday	558	15:00 - 15:59	98	387.50	77.58	1,767.00
4	Thursday	673	14:00 - 14:59	110	387.50	77.58	2,071.00
5	Friday	1,204	23:00 - 23:59	227	387.50	77.58	8,217.00
6	Saturday	1,735	13:00 - 13:59	267	387.50	77.58	10,650.00
7	Sunday	1,621	14:00 - 14:59	316	387.50	77.58	5,826.00
8	Monday	604	16:00 - 16:59	111	387.50	77.58	2,055.00
9	Tuesday	510	14:00 - 14:59	88	387.50	77.58	1,317.00
10	Wednesday	583	13:00 - 13:59	92	387.50	77.58	1,516.00
11	Thursday	918	15:00 - 15:59	178	387.50	77.58	2,853.00
12	Friday	1,259	23:00 - 23:59	233	387.50	77.58	8,840.00
13	Saturday	2,058	23:00 - 23:59	290	387.50	77.58	12,121.00
14	Sunday	1,151	00:00 - 00:59	239	387.50	77.58	3,779.00
15	Monday	494	13:00 - 13:59	92	387.50	77.58	1,740.00
16	Tuesday	521	13:00 - 13:59	97	387.50	77.58	1,446.00
17	Wednesday	554	17:00 - 17:59	82	387.50	77.58	1,500.00
18	Thursday	662	14:00 - 14:59	102	387.50	77.58	2,062.00
19	Friday	1,248	23:00 - 23:59	225	387.50	77.58	8,135.00
20	Saturday	2,018	15:00 - 15:59	267	387.50	77.58	12,503.00
21	Sunday	1,586	00:00 - 00:59	261	387.50	77.58	5,749.00
22	Monday	603	13:00 - 13:59	110	387.50	77.58	1,865.00
23	Tuesday	600	16:00 - 16:59	123	387.50	77.58	1,690.00
24	Wednesday	798	23:00 - 23:59	172	387.50	77.58	3,215.00
25	Thursday	794	00:00 - 00:59	225	387.50	77.58	1,654.00
26	Friday	1,688	19:00 - 19:59	502	387.50	77.58	10,653.00
27	Saturday	1,988	23:00 - 23:59	306	387.50	77.58	12,043.00
28	Sunday	1,591	00:00 - 00:59	269	387.50	77.58	5,500.00
29	Monday	551	14:00 - 14:59	94	387.50	77.58	1,644.00
30	Tuesday	525	15:00 - 15:59	81	387.50	77.58	1,414.00
TOTAL		30,148			\$11,625.00	\$2,327.25	\$137,304.00

TOTAL GROSS REVENUE	\$11,625.00	\$2,327.25	\$137,304.00
SALES TAX	\$0.00	\$152.25	\$8,982.51
TOTAL NET REVENUE	\$11,625.00	\$2,175.00	\$128,321.49

Monthly Budgeted Revenue Needed to Break Even - FY 04/05 (Includes Debt Service)			\$144,185.67
Less Current Month Net Revenue			\$142,121.49
Over/(Short)			(\$2,064.18)
Monthly Space Rental			
Goldman Properties - 155	\$11,625.00	No tax included	
Other - 27	\$2,327.25	Tax included	

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A - East and West
November 2004

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
17th Street Lots - 5A East & West						
Revenue						
Revenue-Ticket	480-8000-344515	135,390.66	134,285.03	(1,105.63)		
Revenue-Monthly Permits	480-8000-344596	<u>18,360.00</u>	<u>17,820.00</u>	<u>(540.00)</u>		
	17th Street Lots - 5A REVENUE (Sales Tax Excluded)	153,750.66	152,105.03	(1,645.63)	-1.07%	\$300.60
Expenses						
Security Personnel		738.66	975.47	236.81 (1).		
Attendant/Cashier Labor		24,230.94	23,786.82	(444.12)		
Revenue Control Equipment Maintenance		1,666.67	1,666.67	0.00		
Landscape Maintenance		502.67	502.67	0.00		
FP&L		<u>391.48</u>	<u>391.48</u>	<u>0.00 (2).</u>		
	17th St. Lots - 5A EXPENSES	27,530.42	27,323.11	(207.31)	-0.75%	\$54.00
	17th St. Lots - 5A PROFIT/(LOSS)	126,220.24	124,781.92	(1,438.32)	-1.14%	\$246.60
Number of Spaces						506

Note:

(1). November 2003 Security Personnel reported figure equates to 60.20 total labor hours, as opposed to 79.50 total labor hours in November 2004.

(2). November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

City of Miami Beach
Parking Department
Day Revenue Report
17th Street Lots - 5A East and West

November 2004

Date	Day	East Total Vehicle Entries	East Daily Ticket Revenue	West Total Vehicle Entries	West Daily Ticket Revenue	TOTAL Daily Ticket Revenue
1	Monday	829	1,948.60	558	1,485.05	3,433.65
2	Tuesday	746	1,287.85	718	850.47	2,138.32
3	Wednesday	879	1,487.85	746	1,000.93	2,488.78
4	Thursday	972	2,227.10	726	1,476.64	3,703.74
5	Friday	962	3,541.12	631	2,519.63	6,060.75
6	Saturday	1,025	4,452.34	929	4,351.40	8,803.74
7	Sunday	991	3,292.52	909	3,071.03	6,363.55
8	Monday	819	2,061.68	506	1,434.58	3,496.26
9	Tuesday	801	1,748.60	667	1,512.15	3,260.75
10	Wednesday	744	1,668.22	716	1,657.94	3,326.16
11	Thursday	879	2,670.09	745	1,396.26	4,066.35
12	Friday	972	3,698.13	868	3,171.03	6,869.16
13	Saturday	1,001	4,838.32	907	4,292.52	9,130.84
14	Sunday	935	3,242.06	657	2,181.31	5,423.37
15	Monday	703	1,440.19	557	1,002.80	2,442.99
16	Tuesday	812	1,612.15	638	1,179.44	2,791.59
17	Wednesday	767	1,518.69	609	1,089.72	2,608.41
18	Thursday	867	2,467.29	581	1,335.51	3,802.80
19	Friday	925	3,478.50	695	2,464.49	5,942.99
20	Saturday	979	3,984.11	832	3,436.45	7,420.56
21	Sunday	926	2,690.65	716	1,768.22	4,458.87
22	Monday	770	1,557.01	510	916.82	2,473.83
23	Tuesday	780	1,548.60	586	955.14	2,503.74
24	Wednesday	911	1,670.09	671	1,112.15	2,782.24
25	Thursday	574	1,577.57	387	693.46	2,271.03
26	Friday	746	3,881.31	797	3,458.88	7,340.19
27	Saturday	978	4,351.40	978	4,029.91	8,381.31
28	Sunday	967	2,304.67	957	2,215.89	4,520.56
29	Monday	737	1,561.68	637	1,242.99	2,804.67
30	Tuesday	857	1,808.41	675	1,365.42	3,173.83
	TOTAL	25,854	\$75,616.80	21,109	\$58,668.23	\$134,285.03
MONTHLY PERMIT REVENUE						\$17,820.00
TOTAL NET REVENUE						\$152,105.03

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
12th Street Garage - 2A						
Revenue						
Revenue-Ticket	480-8000-344504	25,345.79	28,304.67	2,958.88		
Revenue-Monthly Permits	480-8000-344593	<u>5,100.00</u>	<u>4,800.00</u>	<u>(300.00)</u>		
	12th Street - 2A REVENUE (Sales Tax Excluded)	30,445.79	33,104.67	2,658.88	8.73%	\$247.05
Expenses						
Security Personnel		8,844.80	7,496.96	(1,347.84) (1).		
Attendant/Cashier Labor		7,241.85	7,064.21	(177.64)		
FP&L		108.54	108.54	0.00 (2).		
Elevator Maintenance		125.00	125.00	0.00		
Garage Cleaning/Maintenance		<u>1,532.50</u>	<u>1,285.00</u>	<u>(247.50) (3).</u>		
	12th Street - 2A EXPENSES	17,852.69	16,079.71	(1,772.98)	-9.93%	\$120.00
	12th Street - 2A PROFIT/(LOSS)	12,593.10	17,024.96	4,431.86	35.19%	\$127.05
Number of Spaces						134

Notes:

The 12th Street Garage achieves 16% of its revenue from permits, the balance is from transients arriving for court appearances, local workers, beachgoers, and nightclub patrons.

(1.) November 2003 Security Personnel reported figure equates to 720.85 total labor hours, as opposed to only 611 total labor hours in November 2004.

(2.) November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is a previously established estimate.

(3.) November 2003 Garage Cleaning/Maintenance reflects the regular monthly service charge of \$1,285 and a charge of \$247.50 for 30 additional hours of cleaning services. November 2004 Garage Cleaning/Maintenance charge of \$1,521 reflects the new regular monthly service charge from Chi-Ada Corp. The increase is due to new "Living Wage" requirements.

City of Miami Beach
Parking Department
Daily Revenue Report
12th Street Garage - 2A

November 2004

Date	Day	CMB	Armor	P.O	Employee	Court	Chi-Ada	Handicapped	Other	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Monday	2	2	0	0	2	0	1	2	116	125	538.32
2	Tuesday	2	3	0	0	2	0	0	22	116	145	553.27
3	Wednesday	1	1	2	0	1	0	0	10	99	114	472.90
4	Thursday	1	1	0	1	2	0	1	18	139	163	710.28
5	Friday	3	3	1	4	0	0	0	2	203	216	1,314.02
6	Saturday	1	0	0	0	0	0	4	0	169	174	1,308.41
7	Sunday	0	0	0	0	0	0	1	0	115	116	925.23
8	Monday	1	3	0	2	2	0	1	0	159	168	846.73
9	Tuesday	1	2	2	0	1	0	2	2	114	124	566.36
10	Wednesday	1	3	1	1	0	0	1	0	125	132	654.21
11	Thursday	0	1	2	0	0	0	0	13	144	160	792.52
12	Friday	2	0	3	0	0	0	2	1	208	216	1,347.66
13	Saturday	0	1	0	0	0	0	3	2	208	214	1,616.82
14	Sunday	0	1	0	0	0	0	0	3	108	112	887.85
15	Monday	3	5	1	0	3	0	0	0	121	133	517.76
16	Tuesday	1	0	0	0	1	0	1	6	159	168	831.78
17	Wednesday	1	3	1	0	7	0	2	5	122	141	689.72
18	Thursday	1	1	1	1	1	0	1	2	178	186	869.16
19	Friday	3	1	1	0	2	0	4	30	206	247	1,429.91
20	Saturday	1	0	0	0	0	0	3	21	197	222	1,542.06
21	Sunday	0	0	0	0	0	0	0	2	156	158	1,170.09
22	Monday	2	3	0	0	4	0	3	6	124	142	592.52
23	Tuesday	0	0	0	1	1	0	1	0	156	159	747.66
24	Wednesday	1	0	2	1	0	0	0	0	184	188	919.63
25	Thursday	0	0	1	0	0	0	2	0	117	120	678.50
26	Friday	0	0	0	0	0	0	4	3	177	184	1,304.67
27	Saturday	1	2	0	0	0	0	2	3	197	205	1,553.27
28	Sunday	0	0	0	0	0	0	0	0	218	218	1,814.95
29	Monday	0	2	0	0	1	0	0	0	105	108	581.31
30	Tuesday	0	0	0	1	2	0	0	1	115	119	527.10
	TOTAL	29	38	18	12	32	0	39	154	4,555	4,877	\$28,304.67
MONTHLY PERMIT REVENUE												\$4,800.00
TOTAL NET REVENUE												\$33,104.67

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
13th Street Garage - 17A						
Revenue						
Revenue-Ticket	480-8000-344566	47,130.86	49,370.08	2,239.22		
Revenue-Monthly Permits	480-8000-344527	<u>7,680.00</u>	<u>8,340.00</u>	<u>660.00</u>		
	13th Street - 17A REVENUE (Sales Tax Excluded)	54,810.86	57,710.08	2,899.22	5.29%	\$201.78
Expenses						
Security Personnel		10,533.80	9,837.48	(696.32) (1).		
Attendant/Cashier Labor		15,397.71	15,299.85	(97.86)		
Landscape Maintenance		216.67	519.67	303.00 (2).		
FP&L		1,404.98	1,372.89	(32.09) (3).		
Revenue Control Equipment Maintenance		750.00	750.00	0.00		
Elevator Maintenance		312.00	170.00	(142.00) (4).		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Garage Cleaning/Maintenance		<u>1,450.00</u>	<u>1,521.00</u>	<u>71.00</u> (5).		
	13th Street - 17A EXPENSES	30,485.16	29,890.89	(594.27)	-1.95%	\$104.51
	13th Street - 17A PROFIT/(LOSS)	24,325.70	27,819.19	3,493.49	14.36%	\$97.27
Number of Spaces						286

Notes:

The 13th Street Garage achieves 15% of its revenue from permits, the balance is transient revenue. The generators are residents, local workers, construction, visitors to SOBE, beachgoers, and restaurant patrons.

(1.) November 2003 Security Personnel reported figure equates to 858.50 total labor hours, as opposed to only 801.75 total labor hours in November 2004.

(2). November 2004 Landscape Maintenance charge reflects the regular monthly service charge of \$216.67, plus an additional charge of \$303 for parts and labor to replace an irrigation time clock.

(3). November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is the October 2004 invoice amount.

(4). November 2003 Elevator Maintenance charge reflects the regular monthly service charge of \$312, plus an additional charge of \$142 for a service call. November 2004 Elevator Maintenance charge reflects the regular monthly service charge of \$170.

(5). November 2003 Garage Cleaning/Maintenance reflects the regular monthly service charge of \$1,318 and a charge of \$132 for 16 additional hours of cleaning services. November 2004 Garage Cleaning/Maintenance charge of \$1,521 reflects the new regular monthly service charge from Chi-Ada Corp. The increase is due to new "Living Wage" requirements.

City of Miami Beach
Parking Department
Daily Revenue Report
13th Street Garage - 17A

November 2004

Date	Day	Residential Decals (Art Deco)	Monthly Permits	Handicap	City Vehicles	Standard Attendants	Armor Security	Chi-Ada	Daily Tickets	TOTAL Entries	Daily Ticket Revenue
1	Monday	13	85	2	0	8	2	0	186	296	\$1,306.54
2	Tuesday	22	88	0	0	8	3	0	163	284	994.39
3	Wednesday	15	84	0	2	7	3	0	167	278	924.30
4	Thursday	20	93	1	1	6	2	0	182	305	953.27
5	Friday	10	87	0	4	5	3	0	379	488	2,190.65
6	Saturday	13	55	0	0	5	6	0	430	509	2,151.40
7	Sunday	16	46	1	0	4	6	0	410	483	2,286.92
8	Monday	13	93	1	0	6	2	0	210	325	1,335.51
9	Tuesday	14	79	1	0	6	1	0	174	275	1,092.52
10	Wednesday	12	83	5	0	5	3	0	237	345	1,210.28
11	Thursday	18	78	0	1	7	3	0	255	362	1,250.47
12	Friday	18	84	0	1	4	3	0	389	499	2,171.03
13	Saturday	19	62	2	0	4	6	0	435	528	2,405.61
14	Sunday	14	47	1	0	7	4	0	292	365	1,961.68
15	Monday	19	82	1	1	4	2	0	173	282	1,084.11
16	Tuesday	15	86	0	0	4	1	0	226	332	1,235.51
17	Wednesday	17	85	0	1	9	3	0	218	333	1,234.58
18	Thursday	14	93	0	0	6	3	0	240	356	1,140.19
19	Friday	21	88	1	0	5	2	0	409	526	1,940.19
20	Saturday	12	60	1	2	8	5	0	428	516	2,437.38
21	Sunday	10	50	3	0	6	5	0	408	482	2,542.06
22	Monday	20	87	0	0	7	2	0	237	353	1,443.93
23	Tuesday	15	88	0	0	5	1	0	244	353	1,426.17
24	Wednesday	11	97	1	1	7	3	0	271	391	1,639.25
25	Thursday	12	47	0	0	5	4	0	316	384	1,113.08
26	Friday	13	89	0	1	4	3	0	459	569	2,267.29
27	Saturday	14	63	2	2	6	5	0	430	522	2,602.80
28	Sunday	8	51	2	0	5	5	0	406	477	2,649.53
29	Monday	20	95	1	1	11	2	0	237	367	1,331.78
30	Tuesday	16	87	0	0	8	1	0	183	295	1,047.66
	TOTAL	454	2,312	26	18	182	94	0	8,794	11,880	\$49,370.08
MONTHLY PERMIT REVENUE											\$8,340.00
TOTAL NET REVENUE											\$57,710.08

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
16th Street - Anchor Garage						
Revenue						
Revenue-Ticket	463-8000-344911	85,206.68	82,514.96	(2,691.72)		
Revenue -Valet-Loew's	463-8000-344587	20,326.63	19,500.01	(826.62)		
Revenue-Valet-Royal Palm	463-8000-344587	0.00	1,789.73	1,789.73	(1).	
Revenue-Monthly Permits	463-8000-344903	28,200.00	30,060.00	1,860.00		
16th St. - Anchor Garage REVENUE (Sales Tax Excluded)		133,733.31	133,864.70	131.39	0.10%	\$166.71
Expenses						
Security Personnel		10,171.83	12,631.97	2,460.14	(2).	
Attendant/Cashier Labor		16,050.82	16,109.36	58.54		
FP&L		3,800.00	4,138.44	338.44	(3).	
Revenue Control Equipment Maintenance		775.00	775.00	0.00		
Armed Guard Revenue Pickup		420.00	420.00	0.00		
Elevator Maintenance		1,743.82	1,097.97	(645.85)	(4).	
Landscape Maintenance		152.00	190.00	38.00		
Garage Cleaning/Maintenance		2,924.00	9,242.00	6,318.00	(5).	
Sanitation (Waste Removal)		171.64	179.01	7.37		
Fire Alarm Service		250.00	250.00	0.00		
16th St. - Anchor Garage EXPENSES		36,459.11	45,033.75	8,574.64	23.52%	\$56.08
16th St. Garage PROFIT/(LOSS)		97,274.20	88,830.95	(8,443.25)	-8.68%	\$110.62
Number of Spaces						803

Notes:

Garage contract awarded effective June 9, 2003.

(1). November 2004 Royal Palm Valet Revenue includes \$1,070.10 in revenue earned during the month of November 2004 and \$719.63 in revenue earned during the month of October 2004. The data concerning October's revenue was not available in time to be reported in the October 2004 P&L Report.

(2). November 2003 Security Personnel reported figure equates to 829 total labor hours, as opposed to 1026.50 total labor hours in November 2004.

(3). November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from June 16, 2003 through September 1, 2004.

(4). November 2003 Elevator Maintenance charge reflects the regular monthly service charge of \$1,015.32, plus an additional charge of \$728.50 for service calls. November 2004 Elevator Maintenance charge reflects the regular monthly service charge of \$1,097.97.

(5). November 2004 Garage Cleaning/Maintenance charge of \$9,242 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage" requirements.

**City of Miami Beach
Parking Department
Daily Revenue Report
16th Street - Anchor Garage**

November 2004

Date	Day	Total Vehicle Entries	Peak Period	Peak Vehicle Count	Daily Ticket Revenue
1	Monday	435	00:00 - 00:59	105	1,293.46
2	Tuesday	386	08:00 - 08:59	57	798.13
3	Wednesday	447	17:00 - 17:59	66	1,075.70
4	Thursday	732	19:00 - 19:59	126	2,232.71
5	Friday	932	23:00 - 23:59	142	4,661.68
6	Saturday	1,129	23:00 - 23:59	206	6,563.55
7	Sunday	987	15:00 - 15:59	181	4,945.79
8	Monday	592	16:00 - 16:59	82	1,239.25
9	Tuesday	644	13:00 - 13:59	97	1,307.48
10	Wednesday	565	12:00 - 12:59	89	1,523.36
11	Thursday	575	13:00 - 13:59	84	1,530.84
12	Friday	826	23:00 - 23:59	124	3,681.31
13	Saturday	1,249	23:00 - 23:59	188	7,854.21
14	Sunday	833	14:00 - 14:59	168	3,709.35
15	Monday	537	13:00 - 13:59	75	1,231.78
16	Tuesday	532	15:00 - 15:59	84	1,073.83
17	Wednesday	664	17:00 - 17:59	94	1,408.41
18	Thursday	607	12:00 - 12:59	77	1,895.33
19	Friday	928	23:00 - 23:59	128	3,922.43
20	Saturday	1,234	17:00 - 17:59	148	5,884.11
21	Sunday	686	00:00 - 00:59	193	3,185.05
22	Monday	482	15:00 - 15:59	82	1,366.36
23	Tuesday	422	16:00 - 16:59	148	1,039.25
24	Wednesday	511	23:00 - 23:59	87	1,971.03
25	Thursday	499	00:00 - 00:59	85	940.19
26	Friday	1,033	14:00 - 14:59	143	4,675.70
27	Saturday	1,115	15:00 - 15:59	158	5,294.39
28	Sunday	739	13:00 - 13:59	131	3,900.00
29	Monday	498	08:00 - 08:59	83	1,313.08
30	Tuesday	507	18:00 - 18:59	70	997.20
	TOTAL	21,326			\$82,514.96
MONTHLY PERMIT REVENUE					\$30,060.00
VALET REVENUE*					\$21,289.74
TOTAL NET REVENUE					\$133,864.70

Notes: Garage contract awarded effective June 9, 2003.

* November 2004 Valet Revenue includes \$719.63 in revenue earned from the Royal Palm during the month of October 2004. The data concerning this revenue was not available in time to be reported in the October 2004 P&L Report.

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A
November 2004**

LOCATION	ACCOUNTING CODE	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)	Revenue/ Expense Per Space
42nd St. Garage - 8A						
Revenue						
Revenue-Ticket	480-8000-344531	2,763.56	3,087.87	324.31		
Revenue-Monthly Permits	480-8000-344595	<u>34,980.00</u>	<u>33,360.00</u>	<u>(1,620.00)</u>		
	42nd Street Garage- 8A REVENUE (Sales Tax Excluded)	37,743.56	36,447.87	(1,295.69)	-3.43%	\$58.79
Expenses						
Security Personnel		8,797.59	8,245.44	(552.15) (1).		
Attendant/Cashier Labor		3,257.79	3,061.85	(195.94)		
FP&L		1,805.96	1,982.13	176.17 (2).		
Revenue Control Equipment Maintenance		0.00	110.00	110.00 (3).		
Elevator Maintenance		536.00	430.00	(106.00)		
Landscape Maintenance		0.00	0.00	0.00		
Garage Cleaning/Maintenance		<u>1,780.00</u>	<u>3,392.00</u>	<u>1,612.00</u> (4).		
	42nd St. Garage - 8A EXPENSES	16,177.34	17,221.42	1,044.08	6.45%	\$27.78
	42nd St. Garage PROFIT/(LOSS)	21,566.22	19,226.45	(2,339.77)	-10.85%	\$31.01
Number of Spaces						620

Notes:

The primary users of this facility are monthly parkers engaged in local business.

(1). November 2003 Security Personnel reported figure equates to 6717 total labor hours, as opposed to only 672 total labor hours in November 2004.

(2). November 2003 FP&L invoice was unable to be obtained. Therefore, the figure used is an estimate based on the average of the FP&L charges from October 2002 through February 2003. Additionally, November 2004 FP&L invoice was unable to be obtained. Therefore, the figure used is the October 2004 invoice amount.

(3). November 2004 Revenue Control Equipment Maintenance charge of \$110 consists of a service call to correct a computer problem.

(4). November 2003 Garage Cleaning / Maintenance charge reflects the regular monthly service charge of \$1,285 and a charge of \$495 for 60 additional hours of cleaning services. November 2004 Garage Cleaning / Maintenance charge of \$3,392 reflects the new regular monthly service charge from Best Maintenance. The increase is due to new "Living Wage"

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
MULTI -SPACE PARKING METER REVENUE COMPARISON**

LOCATION	Number of Spaces	2002 November	2003 November	Increase/ (Decrease)	2004 November	Increase/ (Decrease)
Ocean Drive	47	\$6.17	\$9.51	54.13%	\$8.79	-7.57%
777 17th Street	27	\$2.42	\$3.02	24.79%	\$4.77	57.95%
71st St. and Byron Avenue	28	\$0.00	\$0.00	-	\$0.00	-

YEAR TO DATE REVENUE COMPARISON

LOCATION	Number of Spaces	Fiscal 2002/2003	Fiscal 2003/2004	Increase/ (Decrease)	Fiscal 2004/2005	Increase/ (Decrease)
Ocean Drive	47	\$6.50	\$10.72	64.92%	\$9.48	-11.57%
777 17th Street	27	\$2.42	\$2.98	23.14%	\$4.08	36.91%
71st St. and Byron Avenue	28	\$0.00	\$0.00	-	0.11	-

Method of Payment Distribution Year to Date for All Collections

Currency	62.01%
Coin	22.36%
Credit Card	15.63%
Total	100.00%

Multispace meters were installed in January 2003. Fiscal year 2002 data has been included to show the effect on revenue of the multi-space meters versus the single-space meters.

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
November 2004**

LOCATION	ACCOUNTING CODE	2004 November # of Spaces	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)
1X - (Washington - 4th & Lincoln) - On Street	480-8000-344501	291	41,761.53	44,411.53	2,650.00	6.35%
1A - (1st Street & Ocean Dr.) - Off Street	480-8000-344502	57	5,685.07	5,429.37		
1A - (1st Street & Ocean Dr.) - Attended	480-8000-344502	0	0.00	4,850.46		
Total		57	5,685.07	10,279.83	4,594.76	80.82%
1B - (78 Washington Avenue) - Off Street	480-8000-344617	12	0.00	181.40	181.40	-
2X - (Washington - 5th & Lincoln) - On Street	480-8000-344503	370	36,364.24	46,973.71	10,609.47	29.18%
2B - (6/7 & Meridian) - Off Street	480-8000-344505	22	0.00	294.99	294.99	-
3X - (Collins & Euclid Ave.) On Street	480-8000-344507	68	4,834.75	8,307.86	3,473.11	71.84%
4X - (Alton 7th St.- Dade Blvd.) - On Street	480-8000-344509	491	52,497.49	89,670.45	37,172.96	70.81%
4B - (Alton & 20th St.-Purdy-Dade Blvd.) - On Street	480-8000-344511	213	18,371.37	12,917.70	(5,453.67)	-29.69%
4C - (West Ave & 17th St.) - Off Street	480-8000-344512	66	8,245.25	13,429.68	5,184.43	62.88%
4D - (West Ave & Lincoln Rd.) - Off Street	480-8000-344513	30	2,656.75	2,632.12	(24.63)	-0.93%
5C - (Convention Ctr. Dr. & 17th Street) - Off Street	480-8000-344517	85	1,393.50	1,568.31		
5C - (Convention Ctr. Dr. & 17th Street) - Attended	480-8000-344517	0	0.00	0.00		
Total		85	1,393.50	1,568.31	174.81	12.54%
5F - (Meridian Ave & 18th Street) - Off Street	480-8000-344519	97	382.57	663.12		
5F - (Meridian Ave & 18th Street) - Attended	480-8000-344519	0	0.00	0.00		
Total		97	382.57	663.12	280.55	73.33%
5H - (19th Street & Meridian Ave) - Off Street	480-8000-344521	27	607.78	638.90	31.12	5.12%
5M - (17th & Meridian Ave) - Off Street	480-8000-344506	27	2,537.61	3,899.43	1,361.82	53.67%
6X - (Collins - 20th to 24th St) - On Street	480-8000-344522	236	15,060.13	18,188.36	3,128.23	20.77%
6A - (22nd Street & Park) - Off Street	480-8000-344523	14	910.63	914.37	3.74	0.41%
6B - (Collins Ave & 21st Street) - Off Street	480-8000-344524	190	10,417.45	13,995.08		
6B - (Collins Ave & 21st Street) - Attended	480-8000-344524	0	0.00	0.00		
Total		190	10,417.45	13,995.08	3,577.63	34.34%
7X - (Ocean - Biscayne - 15th St) - On Street	480-8000-344525	442	53,831.50	75,046.88	21,215.38	39.41%
7A - (Collins Ave, 4th to 15th St) - On Street	480-8000-344526	591	106,499.27	112,988.56	6,489.29	6.09%
7C - (Collins Ave & 6th St) - Off Street	480-8000-344528	14	461.34	435.26		
7C - (Collins Ave & 6th St) - Attended	480-8000-344528	0	388.78	0.00		
Total		14	850.12	435.26	(414.86)	-48.80%
8X - (Pinetree-Alton - 40th to 42nd St) - On Street	480-8000-344530	386	12,057.12	16,294.26	4,237.14	35.14%
8A - (42nd Street Garage) - Off Street Meters	480-8000-344531	11	375.34	716.66	341.32	90.94%
8B - (42nd Street & Royal Palm) - Off Street	480-8000-344532	173	1,911.72	0.00		
8B - (42nd Street & Royal Palm) - Attended	480-8000-344532	0	0.00	0.00		
Total		173	1,911.72	0.00	(1,911.72)	-100.00%
8C - (40/41 Street & Chase) - Off Street	480-8000-344533	88	6.94	27.63	20.69	298.13%
8D - (47th Street & Pinetree) - Off Street	480-8000-344534	16	0.00	0.00	0.00	-
8E - (41st Street & Alton) - Off Street	480-8000-344535	40	1,651.72	2,504.67	852.95	51.64%
8F - (41st Street & Jefferson) - Off Street	480-8000-344536	30	0.00	0.00	0.00	-
9X - (Collins - 64th to 79th St) - On Street	480-8000-344537	527	22,440.75	34,271.77	11,831.02	52.72%
9A - (Harding & 71st St) - Off Street	480-8000-344538	48	468.97	1,049.56	580.59	123.80%
9B - (72nd St. & Collins) - Attended	480-8000-344539	0	0.00	3,087.45	3,087.45	-
9C - (Carlyle & 71st St) - Off Street	480-8000-344540	14	37.34	117.28	79.94	214.09%

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
November 2004**

LOCATION	ACCOUNTING CODE	2004 November # of Spaces	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)
9D - (Collins & 76th St) - Off Street	480-8000-344541	33	829.69	1,642.78	813.09	98.00%
9E - (71st St. & Harding) - Off Street	480-8000-344542	31	222.24	723.86	501.62	225.71%
9F - (75th & Collins) - Off Street	480-8000-344543	106	1,593.69	3,586.58	1,992.89	125.05%
10A - (Lincoln Lane & Lenox) - Off Street	480-8000-344544	70	8,865.16	14,847.97	5,982.81	67.49%
10B - (Lincoln Lane & Michigan) - Lease	480-8000-344545	0	14,583.33	14,583.33	0.00	0.00%
10B - (Lincoln Lane & Michigan) - Attended	480-8000-344545	0	0.00	0.00		
Total		0	14,583.33	14,583.33	0.00	0.00%
10C - (Lincoln Lane & Meridian) - Off Street	480-8000-344546	141	23,334.82	33,127.43	9,792.61	41.97%
10D - (Lincoln Lane & Jefferson - W) - Off Street	480-8000-344547	62	8,266.61	12,138.68	3,872.07	46.84%
10E - (Lincoln Lane & Jefferson - E) - Off Street	480-8000-344548	19	3,403.34	3,886.94	483.60	14.21%
10F - (Lincoln Lane & Euclid) - Off Street	480-8000-344549	36	5,684.45	8,300.55	2,616.10	46.02%
10G - (Lincoln Lane & Michigan) - Off Street	480-8000-344550	21	2,396.05	3,463.81	1,067.76	44.56%
11X - (Collins & 11th Street) - Off Street	480-8000-344551	0	0.00	0.00		
11X - (Collins & 11th Street) - Attended	480-8000-344551	0	0.00	0.00		
Total		0	0.00	0.00	0.00	-
12X - (Washington & 9th Street) - Off Street	480-8000-344552	23	3,158.20	4,001.87		
12X - (Washington & 9th Street) - Attended	480-8000-344552	0	0.00	0.00		
Total		23	3,158.20	4,001.87	843.67	26.71%
13X - (Washington & 10th Street) - Off Street	480-8000-344553	33	4,166.59	5,466.55		
13X - (Washington & 10th Street) - Attended	480-8000-344553	0	0.00	0.00		
Total		33	4,166.59	5,466.55	1,299.96	31.20%
15X - (16th to 18th East of Collins) - On Street	480-8000-344556	43	6,286.18	5,068.84	(1,217.34)	-19.37%
15A - (Washington, 17th to 20th) - On Street	480-8000-344557	91	11,939.72	12,840.15	900.43	7.54%
15B - (Convention Center Drive) - On Street	480-8000-344558	46	4,102.38	4,233.99	131.61	3.21%
16X - (25th to 32nd, E of Collins) - On Street	480-8000-344559	78	4,979.23	3,782.86	(1,196.37)	-24.03%
16A - (35th to 43rd, E of Collins) - On Street	480-8000-344560	117	5,684.96	6,838.73	1,153.77	20.30%
16B - (Indian Crk Dr, 27th to 32nd) - On Street	480-8000-344561	219	4,584.73	3,792.81	(791.92)	-17.27%
16C - (Indian Crk - 33rd to 43rd) - On Street	480-8000-344562	230	8,063.80	7,921.85	(141.95)	-1.76%
16D - (Collins Ave & 34th St) - Off Street	480-8000-344563	64	791.45	698.54		
16D - (Collins Ave & 34th St) - Attended	480-8000-344563	0	0.00	0.00		
Total		64	791.45	698.54	(92.91)	-11.74%
16E - (Collins Ave & 35th St) - Off Street	480-8000-344564	72	359.96	1,442.76		
16E - (Collins Ave & 35th St) - Attended	480-8000-344564	0	0.00	0.00		
Total		72	359.96	1,442.76	1,082.80	300.81%
17X - (Collins & 13th Street) - Off Street	480-8000-344565	54	4,351.90	4,299.39		
17X - (Collins & 13th Street) - Attended	480-8000-344565	0	7,663.54	9,016.82		
Total		54	12,015.44	13,316.21	1,300.77	10.83%
18X - (Indian Crk & 65th St) - Off Street	480-8000-344567	53	184.85	66.94	(117.91)	-63.79%
18A - (Collins & 64th St) - Off Street	480-8000-344568	67	1,818.59	1,407.09		
18A - (Collins & 64th St) - Attended	480-8000-344568	0	0.00	0.00		
Total		67	1,818.59	1,407.09	(411.50)	-22.63%
19X - (Collins & 46th Street) - Off Street	480-8000-344569	449	11,831.17	14,091.34		
19X - (Collins & 46th Street) - Attended	480-8000-344569	0	0.00	0.00		
Total		449	11,831.17	14,091.34	2,260.17	19.10%
19A - (Collins & 46th Street) - On Street	480-8000-344570	19	930.32	696.03	(234.29)	-25.18%

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
ELECTRONIC METER REVENUE COMPARISON
November 2004**

LOCATION	ACCOUNTING CODE	2004 November # of Spaces	2003 November	2004 November	Increase/ (Decrease)	Percent of Increase/ (Decrease)
19B - (Collins & 53rd Street) - Off Street	480-8000-344571	158	3,148.56	1,907.64		
19B - (Collins & 53rd Street) - Attended	480-8000-344571	0	0.00	0.00		
Total		158	3,148.56	1,907.64	(1,240.92)	-39.41%
20X - (Collins Ave & 27th St) - Off Street	480-8000-344572	121	2,715.49	2,123.78		
20X - (Collins Ave & 27th St) - Attended	480-8000-344572	0	0.00	0.00		
Total		121	2,715.49	2,123.78	(591.71)	-21.79%
22X - (Carlyle & 72nd St) - Off Street	480-8000-344574	45	0.00	238.41	238.41	-
23X - (83rd & Abbott) - Off Street	480-8000-344575	25	20.04	62.54	42.50	212.08%
24X - (Normandy Isle & Bay Dr) - On Street	480-8000-344576	102	3,568.85	5,722.36	2,153.51	60.34%
24A - (Normandy Isle & Bay Dr) - Off Street	480-8000-344577	26	379.71	625.85	246.14	64.82%
24B - (Normandy Isle & Vendome) - Off Street	480-8000-344578	22	392.56	413.98	21.42	5.46%
24C - (Normandy Isle & Bay Rd S/S) - Off Street	480-8000-344579	33	529.13	1,049.17	520.04	98.28%
25X - (Bonita Drive & 71st St) - Off Street	480-8000-344580	15	275.38	544.62	269.24	97.77%
26X - (Collins, 79th to 87th Terr) - On Street	480-8000-344581	283	1980.13	2,442.69	462.56	23.36%
26Z - (Collins & 87th Street) - Off Street	480-8000-344616	15	0.00	87.66	87.66	-
10X - (Lincoln Lane & Lenox) - Off Street	480-8000-344582	99	14,266.68	18,701.64		
10X - (Lincoln Lane & Lenox) - Attended	480-8000-344582	0	0.00	0.00		
Total		99	14,266.68	18,701.64	4,434.96	31.09%
26A - (Collins & 80th Street) - Off Street	480-8000-344584	62	313.84	277.14	(36.70)	-11.69%
26B - (Collins & 84th Street) - Off Street	480-8000-344585	62	0.00	342.63	342.63	-
4E (Purdy & 18th Street) - Off Street	480-8000-344586	39	2,865.34	3,900.36		
4E (Purdy & 18th Street) - Attended	480-8000-344586	0	3,280.36	3,061.68		
Total		39	6,145.70	6,962.04	816.34	13.28%
8G - (40th Street & Royal Palm) - Off Street	480-8000-344592	43	1,348.26	2,301.32	953.06	70.69%
8H - (40th Street & Prairie) - Off Street	480-8000-344594	71	446.66	2,784.92	2,338.26	523.50%
26C - (Collins & 79th Street) - Off Street	480-8000-344600	34	110.93	58.54	(52.39)	-47.23%
26D - (Collins & 83rd Street) - Off Street	480-8000-344601	95	87.17	72.18	(14.99)	-17.20%
SLSP00 - (South Point Lot) - Off Street	480-8000-344602	108	2,875.64	3,397.47		
SLSP00 - (Southpoint Lot) - Attended	480-8000-344602	0	3,502.79	5,037.37		
Total		108	6,378.43	8,434.84	2,056.41	32.24%
4th & Alton Lot - Off Street	480-8000-344604	21	233.23	656.63	423.40	181.54%
4A - 1833 Bay Road - Off Street	480-8000-344608	0	0.00	0.00	0.00	-
7D - 10-11th & Collins (Lease)	480-8000-344529	0	3,500.00	3,500.00	0.00	0.00%
10H - (Lincoln Rd. So. & Lenox) - Off Street	480-8000-344611	0	0.00	0.00	0.00	-
14A - 16th Street & Washington (Lease)	480-8000-344555	0	14,583.33	14,583.33	0.00	0.00%
P50 - (24th Street & Flamingo Drive) - Off Street	480-8000-344619	0	0.00	0.00	0.00	-
P85 - (71st Street & Byron) - Off Street	480-8000-344618	0	0.00	0.00		
P85 - (71st Street & Byron) - Attended	480-8000-344618	0	0.00	1,213.07		
Total		0	0.00	1,213.07	1,213.07	-
TOTAL		8,332	\$612,357.94	\$772,582.29	\$160,224.35	26.17%

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE
November 2004**

VENDOR	# of CARDS \$25	# of CARDS with 10% Discount \$22.50	MACHINE SALES \$ Amount	REFUNDS \$ Amount	TOTAL
BAY SUPERMARKET	0	0			\$0.00
BEACH BANK	0	0			\$0.00
BRIGHAM GARDENS	0	0			\$0.00
CHAMBER OF COMMERCE	0	0			\$0.00
CLEAN MACHINE	0	0			\$0.00
COMPASS MARKET	0	0			\$0.00
D'VINE CYBER LOUNGE	0	0			\$0.00
FINANCE DEPARTMENT	50	71			\$2,847.50
KOSHER WORLD	0	0			\$0.00
LEE ANN DRUGS	0	0			\$0.00
NEWS CAFE	0	0			\$0.00
PARKING DEPT. - Customer Service	164	145		\$0.00	\$7,362.50
PARKING DEPT. - Garages	8	0			\$200.00
PUBLIX SUPERMARKET	0	1,220			\$27,450.00
SHEMTOV'S	0	0			\$0.00
SUNSET CAFÉ	0	0			\$0.00
PARKING MACHINE - Cash	-	-	\$3,890.00		\$3,890.00
PARKING MACHINE - Credit Cards	-	-	\$2,930.00		\$2,930.00
WOLFSONIAN	0	0			\$0.00
ZELICK'S TOBACCO	0	0			\$0.00
TOTAL # OF CARDS	222	1,436			1,658
TOTAL \$ AMOUNT	\$5,550.00	\$32,310.00	\$6,820.00	\$0.00	\$44,680.00

**CITY OF MIAMI BEACH
PARKING DEPARTMENT
DEBIT CARD REVENUE - YEAR TO DATE
October 2004 - November 2004**

VENDOR	# of CARDS \$25	# of CARDS with 10% Discount \$22.50	MACHINE SALES \$ Amount	REFUNDS \$ Amount	TOTAL
BAY SUPERMARKET	0	0			\$0.00
BEACH BANK	0	0			\$0.00
BRIGHAM GARDENS	0	0			\$0.00
CHAMBER OF COMMERCE	0	20			\$450.00
CLEAN MACHINE	0	0			\$0.00
COMPASS MARKET	0	0			\$0.00
D'VINE CYBER LOUNGE	0	0			\$0.00
FINANCE DEPARTMENT	128	155			\$6,687.50
KOSHER WORLD	0	0			\$0.00
LEE ANN DRUGS	0	50			\$1,125.00
NEWS CAFE	0	0			\$0.00
PARKING DEPT. - Customer Service	277	244		\$0.00	\$12,415.00
PARKING DEPT. - Garages	15	0			\$375.00
PUBLIX SUPERMARKET	0	3,290			\$74,025.00
SHEMTOV'S	0	0			\$0.00
SUNSET CAFÉ	0	0			\$0.00
PARKING MACHINE - Cash	-	-	\$5,890.00		\$5,890.00
PARKING MACHINE - Credit Cards	-	-	\$6,065.00		\$6,065.00
WOLFSONIAN	0	0			\$0.00
ZELICK'S TOBACCO	0	0			\$0.00
TOTAL # OF CARDS	420	3,759			4,179
TOTAL \$ AMOUNT	\$10,500.00	\$84,577.50	\$11,955.00	\$0.00	\$107,032.50

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	147,297.18	172,645.81											319,942.99
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00											12,600.00
Revenue-Monthly Permits	480-8000-344514	55,980.00	57,120.00											113,100.00
17th St. - 2G REVENUE (Sales Tax Excluded)		209,577.18	236,065.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	445,642.99
Expenses														
Security Personnel		21,092.12	15,849.77											36,941.89
Attendant/Cashier Labor		41,006.44	51,214.30											92,220.74
FP&L		6,473.39	5,949.82											12,423.01
Revenue Control Equipment Maintenance		1,666.67	4,551.67											6,218.34
Armed Guard Revenue Pickup		420.00	420.00											840.00
Elevator Maintenance		483.60	425.00											908.60
Landscape and Lot Maintenance		108.33	108.33											216.66
Garage Cleaning/Maintenance		10,820.00	10,820.00											21,640.00
17th St. - 2G EXPENSES		82,070.55	89,338.69	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	171,409.24
17th St. Profit/(Loss)		127,506.63	146,727.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	274,233.75

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	126,299.54	162,005.37	140,671.96	158,906.54	210,057.03	154,691.53	127,139.34	153,750.35	114,394.40	108,808.42	106,967.29	75,012.15	1,638,703.92
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	53,760.00	56,760.00	54,960.00	54,000.00	53,760.00	57,360.00	57,780.00	57,660.00	57,780.00	58,020.00	57,060.00	57,900.00	676,800.00
17th St. - 2G REVENUE (Sales Tax Excluded)		186,359.54	225,065.37	201,931.96	219,206.54	270,117.03	218,351.53	191,219.34	217,710.35	178,474.40	173,128.42	170,327.29	139,212.15	2,391,103.92
Expenses														
Security Personnel		15,896.40	16,574.30	16,802.34	15,494.05	17,601.32	16,653.45	15,804.17	19,951.32	15,922.37	16,095.17	19,972.49	14,711.73	201,479.11
Attendant/Cashier Labor		41,511.91	48,342.11	40,772.36	36,234.53	52,732.42	40,835.62	45,314.47	46,946.34	44,991.49	37,865.26	48,178.56	43,040.60	526,766.67
FP&L		6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.68
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	2,516.67	9,060.56	1,936.67	28,513.93
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	425.00	425.00	36,569.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	312.33	108.33	108.33	108.33	108.33	1,503.96
Garage Cleaning/Maintenance		5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,421.08	5,696.08	5,595.08	5,331.08	10,820.00	70,180.88
17th St. - 2G EXPENSES		72,145.78	79,528.88	72,187.17	66,528.55	84,946.21	72,101.54	75,543.11	81,616.13	105,731.63	69,498.90	89,969.41	77,995.72	947,733.23
17th St. Profit/(Loss)		114,213.76	145,536.49	129,744.79	152,677.99	185,170.82	146,249.99	115,676.23	136,094.22	72,742.57	103,629.52	80,357.88	61,276.43	1,443,370.69

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Garage - 2G

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Garage - 2G														
Revenue-Ticket	480-8000-344583	126,299.54	162,005.37	140,671.96	168,906.54	210,057.03	164,691.53	127,139.34	153,750.35	114,394.40	108,808.42	106,967.29	75,012.15	1,638,703.92
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	53,760.00	56,760.00	54,960.00	54,000.00	53,760.00	57,360.00	57,760.00	57,660.00	57,760.00	58,020.00	57,060.00	57,900.00	676,800.00
17th St. - 2G REVENUE (Sales Tax Excluded)		186,359.54	225,065.37	201,931.96	219,206.54	270,117.03	218,351.53	191,219.34	217,710.35	178,474.40	173,128.42	170,327.29	139,212.15	2,391,103.92
Expenses														
Security Personnel		15,896.40	16,574.30	16,802.34	15,494.05	17,601.32	16,653.45	15,804.17	19,951.32	15,922.37	16,095.17	19,972.49	14,711.73	201,479.11
Attendant/Cashier Labor		41,511.91	48,342.11	40,772.36	36,234.53	52,732.42	40,835.62	45,314.47	48,946.34	44,891.49	37,865.26	48,178.56	43,040.60	526,765.67
FP&L		6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.68
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	2,516.67	9,060.56	1,936.67	28,513.93
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		738.00	613.00	613.00	800.50	613.00	613.00	425.00	425.00	30,453.50	425.00	425.00	425.00	36,569.00
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	312.33	108.33	108.33	108.33	108.33	1,503.96
Garage Cleaning/Maintenance		5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,331.08	5,421.08	5,696.08	5,595.08	5,331.08	10,820.00	70,180.88
17th St. - 2G EXPENSES		72,145.76	79,528.88	72,187.17	66,528.55	84,946.21	72,101.54	75,543.11	81,616.13	105,731.83	69,498.90	89,989.41	77,935.72	947,733.23
17th St. PROFIT/(LOSS)		114,213.76	145,536.49	129,744.79	152,677.99	185,170.82	146,249.99	115,676.23	136,094.22	72,742.57	103,629.52	80,357.88	61,276.43	1,443,370.69

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th St. Garage - 2G														
Revenue-Ticket	480-8000-344583	105,641.20	159,877.65	136,339.53	153,112.01	199,421.53	147,306.63	99,839.26	135,459.72	92,178.14	102,296.41	106,516.89	91,325.39	1,529,314.36
Revenue - Space Rental	480-8000-344583	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	6,300.00	75,600.00
Revenue-Monthly Permits	480-8000-344514	60,000.00	61,560.00	59,820.00	56,760.00	57,960.00	58,740.00	58,680.00	53,460.00	54,300.00	55,920.00	53,160.00	53,220.00	683,580.00
17th St. - 2G REVENUE (Sales Tax Excluded)		171,941.20	227,737.65	202,459.53	216,172.01	263,681.53	212,346.63	164,819.26	195,219.72	152,778.14	164,516.41	165,976.89	150,845.39	2,288,494.36
Expenses														
Security Personnel		16,561.95	16,616.47	16,549.18	20,680.62	17,432.22	16,471.66	20,612.78	16,448.34	20,600.10	16,480.25	20,599.69	16,233.62	215,286.88
Attendant/Cashier Labor		33,192.78	56,286.32	36,137.49	39,265.13	48,329.64	37,381.35	32,521.25	34,321.57	59,870.88	35,809.78	34,812.81	42,008.65	489,938.65
FP&L		5,352.35	5,507.51	6,007.59	5,672.16	9,827.33	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	6,473.39	77,680.67
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	20,379.04
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	613.00	13,119.75
Landscape and Lot Maintenance		108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	108.33	1,299.96
Garage Cleaning/Maintenance		3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	3,292.00	51,985.98
17th St. - 2G EXPENSES		61,304.26	84,607.48	64,891.44	71,815.09	81,789.37	66,523.58	67,843.88	65,673.56	95,428.13	66,937.50	70,314.97	78,619.49	875,745.55
17th St. PROFIT/(LOSS)		110,636.94	143,130.17	137,568.09	144,356.92	181,895.16	145,823.05	96,975.58	129,546.16	57,350.01	97,578.91	95,661.92	72,225.90	1,412,748.81

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
7th Street Garage - 1G Revenue-Ticket	142-8000-344404	155,800.01	128,321.49											284,121.50
Revenue-Monthly Permits	142-8000-344404	13,850.00	13,800.00											27,650.00
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		169,450.01	142,121.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	311,571.50
Expenses														
Security		27,049.21	21,202.56											48,251.77
Attendant/Cashier Labor		17,782.75	17,406.81											35,189.56
Landscape Maintenance		1,605.67	918.67											2,524.34
FP&L		3,067.37	3,067.37											6,134.74
Revenue Control Equipment Maintenance		860.15	700.00											1,560.15
Garage Cleaning/Maintenance		9,242.00	9,242.00											18,484.00
Armed Guard Revenue Pickup		420.00	420.00											840.00
Elevator Maintenance		1,065.17	1,065.17											2,130.34
Surveillance System Maintenance		611.41	611.41											1,222.82
7th St. Garage - 1G EXPENSES		61,703.73	54,633.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	116,337.72
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	119,000.00
7th St. - 1G PROFIT/(LOSS)		48,246.28	27,987.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	76,233.78

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
7th Street Garage - 1G Revenue-Ticket	142-8000-344404	139,529.56	139,842.06	130,241.12	167,042.06	164,871.96	219,217.76	169,714.95	173,072.90	138,058.07	172,876.64	157,222.43	82,198.12	1,853,887.63
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,237.50	13,462.50	13,500.00	13,800.00	13,725.00	13,725.00	13,350.00	13,725.00	13,800.00	13,800.00	13,800.00	162,975.00
7th Street Garage - 1G REVENUE (Sales Tax Excluded)		152,579.56	153,079.56	143,703.62	180,542.06	178,671.96	232,942.76	183,439.95	186,422.90	151,783.07	186,676.64	171,022.43	95,998.12	2,016,862.63
Expenses														
Security		21,049.40	21,816.06	24,181.09	21,727.10	20,960.22	23,119.75	21,349.80	28,211.80	21,233.24	22,052.26	26,852.89	17,055.31	269,808.92
Attendant/Cashier Labor		17,797.52	17,668.48	17,422.60	17,959.47	17,642.05	18,262.80	17,863.50	17,748.27	17,815.82	17,988.44	22,276.54	19,097.97	219,573.46
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	918.67	16,581.67	40,297.70
FP&L		3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	1,200.00	8,900.00
Garage Cleaning/Maintenance		4,864.00	4,699.00	4,765.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	9,242.00	62,729.50
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,729.00	1,202.00	2,271.50	985.00	1,460.42	985.00	1,202.00	2,817.42	2,592.67	2,360.17	2,360.17	2,050.17	22,015.52
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	534.60	534.60	8,547.78
7th St. Garage - 1G EXPENSES		51,080.56	51,221.51	54,480.83	51,176.21	50,496.66	52,882.19	50,919.94	59,282.13	54,068.95	66,649.01	61,994.24	69,248.09	673,521.32
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		41,999.00	42,358.05	29,712.79	69,865.85	68,673.30	120,550.57	73,020.01	67,640.77	38,214.12	60,527.63	49,528.19	(32,750.97)	629,341.31

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
7th Street Garage - 1G

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	139,529.56	139,842.06	130,241.12	167,042.06	164,871.96	219,217.76	169,714.95	173,072.90	138,058.07	172,876.64	157,222.43	82,198.12	1,853,887.63
Revenue-Monthly Permits	142-8000-344404	13,050.00	13,237.50	13,462.50	13,500.00	13,800.00	13,725.00	13,725.00	13,350.00	13,725.00	13,800.00	13,800.00	13,800.00	162,975.00
7th Street Garage - 1G REVENUE		152,579.56	153,079.56	143,703.62	180,542.06	178,671.96	232,942.76	183,439.95	186,422.90	151,783.07	186,676.64	171,022.43	95,998.12	2,016,862.63
(Sales Tax Excluded)														
Expenses														
Security		21,049.40	21,816.06	24,181.08	21,727.10	20,960.22	23,119.75	21,349.80	28,211.80	21,233.24	22,052.26	26,852.89	17,055.31	289,608.92
Attendant/Cashier Labor		17,797.52	17,666.48	17,422.60	17,959.47	17,642.05	18,282.80	17,863.50	17,748.27	17,815.82	17,988.44	22,276.54	19,097.97	219,573.46
Landscape Maintenance		918.67	1,114.00	918.67	918.67	848.00	918.67	918.67	918.67	918.67	14,404.67	918.67	16,581.67	40,297.70
FP&L		3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	1,200.00	8,900.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,765.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	9,242.00	62,729.50
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,729.00	1,202.00	2,271.50	985.00	1,460.42	985.00	1,202.00	2,817.42	2,592.67	2,360.17	2,360.17	2,050.17	22,015.52
Surveillance System Maintenance		534.60	534.60	744.60	534.60	534.60	534.60	534.60	534.60	2,457.18	534.60	534.60	534.60	8,547.78
7th St. Garage - 1G EXPENSES		51,080.56	51,221.51	54,490.83	51,176.21	50,496.66	52,892.19	50,919.94	59,282.13	54,068.95	66,649.01	81,994.24	69,249.09	673,521.32
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		41,999.00	42,358.05	29,712.79	89,865.85	68,675.30	120,550.57	73,020.01	67,640.77	38,214.12	60,527.63	49,528.19	(32,750.97)	629,341.31

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
7th Street Garage - 1G														
Revenue-Ticket	142-8000-344404	136,186.19	137,501.35	140,246.61	148,162.44	153,858.76	221,547.82	161,548.46	174,847.57	133,750.47	164,101.85	178,871.59	120,362.30	1,871,006.41
Revenue-Monthly Permits	142-8000-344404	13,125.00	13,125.00	13,125.00	13,125.00	13,125.00	13,050.00	13,050.00	13,050.00	12,975.00	13,050.00	13,200.00	13,200.00	157,200.00
7th Street Garage - 1G REVENUE		149,311.19	150,626.35	153,371.61	161,307.44	166,983.76	234,597.82	174,598.46	187,897.57	146,725.47	177,151.85	192,071.59	133,562.30	2,028,206.41
(Sales Tax Excluded)														
Expenses														
Security		21,087.06	20,743.70	20,245.12	26,257.88	21,150.87	21,933.85	26,125.51	22,612.39	25,778.88	21,024.44	27,128.97	21,014.42	275,103.07
Attendant/Cashier Labor		16,755.52	25,273.02	16,806.12	17,276.43	16,664.70	17,694.64	16,755.04	16,893.63	25,407.34	16,835.01	17,385.71	17,618.06	221,365.42
Landscape Maintenance		984.00	984.00	984.00	984.00	984.00	984.00	918.67	1,067.67	918.67	10,438.67	7,363.67	918.67	27,530.02
FP&L		2,067.70	2,147.44	2,709.51	2,462.61	4,749.59	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	3,067.37	36,808.44
Revenue Control Equipment Maintenance		700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	700.00	8,400.00
Garage Cleaning/Maintenance		4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	4,864.00	5,111.50	4,864.00	4,864.00	4,864.00	58,615.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Elevator Maintenance		985.00	985.00	985.00	985.00	985.00	985.00	1,180.88	1,284.84	1,936.44	1,180.88	1,295.00	1,295.00	13,948.92
Surveillance System Maintenance		437.00	437.00	437.00	437.00	437.00	437.00	495.00	495.00	495.00	1,855.00	580.00	2,810.60	9,352.60
7th St. Garage - 1G EXPENSES		48,997.46	57,251.34	48,247.93	54,484.10	51,062.34	51,183.04	54,623.65	51,482.28	63,932.36	60,420.37	62,795.60	52,708.12	657,178.59
7th St. - 1G Estimated Debt Service		59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	59,500.00	714,000.00
7th St. - 1G PROFIT/(LOSS)		40,813.73	33,875.01	45,823.68	47,323.34	56,431.42	123,914.78	60,475.81	76,915.29	23,293.11	57,231.48	69,775.99	21,354.18	657,027.82

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	147,540.55	134,285.03											281,825.58
Revenue-Valet	480-8000-344515	0.00	0.00											0.00
Revenue-Monthly Permits	480-8000-344596	18,300.00	17,820.00											36,120.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		165,840.55	152,105.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	317,945.58
Expenses														
Security Personnel		1,079.76	975.47											2,055.23
Attendant/Cashier Labor		20,954.86	23,786.82											44,741.68
Revenue Control Equipment Maintenance		1,666.67	1,666.67											3,333.34
Landscape and Lot Maintenance		502.67	502.67											1,005.34
FP&L		391.48	391.48											782.96
17th Lots - 5A EXPENSES		24,595.44	27,323.11	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	51,918.55
17th Lots PROFIT/(LOSS)		141,245.11	124,781.92	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	266,027.03

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	123,301.93	135,390.66	142,474.77	153,204.65	157,831.80	163,559.82	141,769.18	149,018.68	120,878.55	126,481.32	123,772.91	83,556.53	1,621,240.80
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	16,800.00	18,360.00	15,960.00	16,200.00	15,660.00	15,660.00	16,560.00	16,800.00	17,940.00	17,820.00	17,520.00	17,700.00	202,980.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		140,101.93	153,750.66	158,434.77	169,404.65	173,491.80	179,219.62	158,329.18	165,818.68	138,818.55	144,301.32	141,292.91	101,256.53	1,824,220.80
Expenses														
Security Personnel		1,404.71	738.66	880.37	662.58	1,319.03	883.44	953.99	1,128.84	883.44	828.23	1,174.86	539.89	11,398.04
Attendant/Cashier Labor		20,826.85	24,230.94	20,510.75	20,463.71	23,729.34	22,161.85	21,289.27	22,812.35	21,621.06	18,258.77	23,687.56	20,393.19	259,985.64
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	3,722.78	1,666.67	22,056.15
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,687.76
17th Lots - 5A EXPENSES		24,792.38	27,530.42	23,951.94	23,667.11	27,609.19	25,606.11	24,804.08	26,502.01	25,065.32	21,647.82	29,479.35	23,493.90	304,169.63
17th Lots PROFIT/(LOSS)		115,309.55	126,220.24	134,482.83	145,717.54	145,882.61	153,613.71	133,525.10	139,316.67	113,753.23	122,653.50	111,813.56	77,762.63	1,520,051.17

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
17th Street Lots - 5A East and West

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	123,301.93	135,390.66	142,474.77	153,204.65	157,831.80	163,559.82	141,769.18	149,018.68	120,878.55	126,481.32	123,772.91	83,556.53	1,621,240.80
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	16,800.00	18,360.00	15,960.00	16,200.00	15,660.00	15,660.00	16,560.00	16,800.00	17,940.00	17,820.00	17,520.00	17,700.00	202,980.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		140,101.93	153,750.66	158,434.77	169,404.65	173,491.80	179,219.82	158,329.18	165,818.68	138,818.55	144,301.32	141,292.91	101,256.53	1,824,220.80
Expenses														
Security Personnel		1,404.71	738.66	880.37	662.58	1,319.03	883.44	953.99	1,128.84	883.44	828.23	1,174.86	539.89	11,398.04
Attendant/Cashier Labor		20,826.85	24,230.94	20,510.75	20,463.71	23,729.34	22,161.85	21,289.27	22,812.35	21,621.06	18,258.77	23,687.56	20,393.19	259,985.84
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	3,722.78	1,666.67	22,056.15
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
17th Lots - 5A EXPENSES		24,792.38	27,530.42	23,951.94	23,887.11	27,609.19	25,606.11	24,804.08	26,502.01	25,065.32	21,647.82	29,479.35	23,493.90	304,169.63
17th Lots PROFIT/(LOSS)		115,309.55	126,220.24	134,482.83	145,717.54	145,882.61	153,613.71	133,525.10	139,316.67	113,753.23	122,653.50	111,813.56	77,762.63	1,520,051.17

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
17th Street Lots - 5A East and West														
Revenue-Ticket	480-8000-344515	105,889.88	120,891.93	120,890.56	132,337.75	139,792.51	139,949.44	111,002.09	127,300.47	107,680.68	111,796.59	110,433.27	99,008.57	1,426,973.74
Revenue-Valet	480-8000-344515	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Revenue-Monthly Permits	480-8000-344596	17,820.00	18,120.00	17,700.00	18,360.00	16,500.00	17,700.00	16,560.00	18,840.00	15,720.00	15,900.00	16,560.00	16,980.00	206,760.00
17th Lots - 5A REVENUE (Sales Tax Excluded)		123,709.88	139,011.93	138,590.56	150,697.75	156,292.51	157,649.44	127,562.09	146,140.47	123,400.68	127,696.59	126,993.27	115,988.57	1,633,733.74
Expenses														
Security Personnel		1,883.74	1,884.70	1,797.93	2,334.72	1,591.97	1,750.52	2,157.89	1,786.10	2,172.81	1,743.98	1,883.20	1,687.74	22,655.30
Attendant/Cashier Labor		17,939.85	30,340.05	19,183.60	21,628.82	22,409.89	20,603.96	18,238.36	18,745.80	30,790.29	17,290.61	17,265.92	20,813.79	255,250.94
Revenue Control Equipment Maintenance		1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,831.67	1,666.67	1,666.67	20,359.04
Landscape and Lot Maintenance		502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	502.67	6,032.04
FP&L		386.67	350.40	332.23	322.18	565.72	391.48	391.48	391.48	391.48	391.48	391.48	391.48	4,697.76
17th Lots - 5A EXPENSES		22,379.60	34,744.49	23,483.10	26,455.06	26,736.92	24,915.30	22,957.07	23,286.72	35,523.92	21,760.41	21,689.94	25,062.35	308,995.08
17th Lots PROFIT/(LOSS)		101,330.08	104,267.44	115,107.46	124,242.69	129,555.59	132,734.14	104,605.02	122,853.75	87,876.76	105,936.18	105,303.33	90,926.22	1,324,738.66

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	30,426.16	28,304.67											58,730.83
Revenue-Monthly Permits	480-8000-344593	4,860.00	4,800.00											9,660.00
12th St. - 2A REVENUE (Sales Tax Excluded)		35,286.16	33,104.67	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	68,390.83
Expenses														
Security Personnel		9,368.15	7,496.96											16,865.11
Attendant/Cashier Labor		7,077.27	7,064.21											14,141.48
FP&L		108.54	108.54											217.08
Elevator Maintenance		487.50	125.00											612.50
Garage Cleaning/Maintenance		1,521.00	1,285.00											2,806.00
12th St. - 2A EXPENSES		18,562.46	16,079.71	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	34,642.17
12th St. - 2A PROFIT/(Loss)		16,723.70	17,024.96	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	33,748.66

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	26,360.74	25,345.79	24,450.45	29,463.54	29,428.03	38,480.37	31,798.13	32,760.77	25,388.79	29,747.65	30,476.60	18,809.37	342,510.23
Revenue-Monthly Permits	480-8000-344593	5,220.00	5,100.00	5,040.00	4,740.00	4,740.00	4,800.00	4,920.00	4,860.00	4,860.00	4,980.00	5,100.00	4,860.00	59,220.00
12th St. - 2A REVENUE (Sales Tax Excluded)		31,580.74	30,445.79	29,490.45	34,203.54	34,168.03	43,280.37	36,718.13	37,620.77	30,248.79	34,727.65	35,576.60	23,669.37	401,730.23
Expenses														
Security Personnel		8,219.46	8,844.80	9,107.41	8,233.17	10,306.80	8,013.11	8,245.44	10,395.76	8,230.11	7,938.69	9,366.08	6,408.01	103,307.84
Attendant/Cashier Labor		7,247.08	7,241.86	7,200.05	7,216.73	7,184.37	7,226.18	7,210.50	7,602.38	7,354.19	7,113.84	8,960.87	8,015.15	89,572.19
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,302.48
Garage Cleaning/Maintenance		1,540.75	1,532.50	1,540.75	1,540.75	1,524.25	1,540.75	1,532.50	1,532.50	1,540.75	1,590.25	1,540.75	1,521.00	5,462.00
12th St. - 2A EXPENSES		17,240.83	17,852.69	18,081.75	17,223.19	19,248.96	17,013.68	17,221.98	19,764.18	17,358.59	18,876.32	24,062.24	16,177.70	218,122.01
12th St. - 2A PROFIT/(Loss)		14,339.91	12,593.10	11,408.70	16,980.35	14,919.07	26,266.79	19,496.15	17,856.69	12,890.20	17,851.33	11,514.36	7,491.67	183,608.22

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
12th Street Garage - 2A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	26,360.74	25,345.79	24,450.45	29,463.54	29,428.03	38,480.37	31,798.13	32,760.77	25,388.79	29,747.65	30,478.60	18,809.37	342,510.23
Revenue-Monthly Permits	480-8000-344593	5,220.00	5,100.00	5,040.00	4,740.00	4,740.00	4,800.00	4,920.00	4,860.00	4,860.00	4,980.00	5,100.00	4,860.00	59,220.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	31,580.74	30,445.79	29,490.45	34,203.54	34,168.03	43,280.37	36,718.13	37,620.77	30,248.79	34,727.65	35,578.60	23,669.37	401,730.23
Expenses														
Security Personnel		8,219.46	8,844.80	9,107.41	8,233.17	10,306.80	8,013.11	8,245.44	10,395.76	8,230.11	7,938.69	9,385.08	6,408.01	103,307.84
Attendant/Cashier Labor		7,247.08	7,241.85	7,200.05	7,215.73	7,184.37	7,226.18	7,210.50	7,602.38	7,354.19	7,113.84	8,960.87	8,015.15	89,572.19
FP&L		108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.48
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,462.00
Garage Cleaning/Maintenance		1,540.75	1,532.50	1,540.75	1,540.75	1,524.25	1,540.75	1,532.50	1,532.50	1,540.75	1,590.25	1,640.75	1,521.00	18,477.50
	12th St. - 2A EXPENSES	17,240.83	17,852.69	18,081.75	17,223.19	19,248.96	17,013.58	17,221.98	19,764.18	17,358.59	16,876.32	24,062.24	16,177.70	218,122.01
	12th St. - 2A PROFIT/(LOSS)	14,339.91	12,593.10	11,408.70	16,980.35	14,919.07	26,266.79	19,496.15	17,856.59	12,890.20	17,851.33	11,514.36	7,491.67	183,608.22

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
12th Street Garage - 2A														
Revenue-Ticket	480-8000-344504	23,808.81	26,646.02	27,241.35	27,276.87	28,087.39	39,739.49	29,316.86	33,756.05	22,192.23	30,702.84	31,246.72	22,452.33	342,465.96
Revenue-Monthly Permits	480-8000-344593	5,340.00	5,520.00	5,220.00	4,860.00	4,920.00	5,100.00	5,040.00	4,920.00	4,860.00	5,220.00	5,400.00	5,400.00	61,800.00
	12th St. - 2A REVENUE (Sales Tax Excluded)	29,148.81	32,166.02	32,461.35	32,136.87	33,007.39	44,839.49	34,356.86	38,676.05	27,052.23	35,922.84	36,646.72	27,852.33	404,265.96
Expenses														
Security Personnel		8,245.44	8,232.15	8,235.63	10,779.20	8,166.92	8,233.17	10,238.91	8,237.06	10,302.50	8,241.55	10,299.64	8,252.59	107,464.76
Attendant/Cashier Labor		7,054.55	10,280.84	6,892.87	7,315.74	6,912.77	7,052.06	6,810.78	6,945.10	10,775.85	7,497.33	7,173.01	7,672.92	92,393.82
FP&L		102.79	81.67	98.93	90.60	168.69	108.54	108.54	108.54	108.54	108.54	108.54	108.54	1,302.46
Elevator Maintenance		125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	125.00	1,462.00
Garage Cleaning/Maintenance		1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,605.75	1,567.25	1,532.50	1,763.50	1,540.75	1,540.75	1,532.50	19,101.75
	12th St. - 2A EXPENSES	17,133.53	20,325.41	16,968.18	19,916.29	16,979.13	17,124.52	16,716.48	16,823.20	22,950.39	17,388.17	19,288.61	17,691.55	221,294.46
	12th St. - 2A PROFIT/(LOSS)	12,015.28	11,840.61	15,503.17	12,220.58	16,028.26	27,714.97	15,640.38	21,852.85	4,101.84	18,534.67	17,358.11	10,160.78	182,971.50

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	40,924.28	49,370.08											90,294.36
Revenue-Monthly Permits	480-8000-344527	8,400.00	8,340.00											16,740.00
13th St. - 17A REVENUE (Sales Tax Excluded)		49,324.28	57,710.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	107,034.36
Expenses														
Security Personnel		12,276.14	9,837.48											22,113.62
Attendant/Cashier Labor		15,477.93	15,299.85											30,777.78
Landscape Maintenance		420.67	519.67											940.34
FP&L		1,404.98	1,372.89											2,777.87
Revenue Control Equipment Maintenance		750.00	750.00											1,500.00
Elevator Maintenance		680.13	170.00											850.13
Armed Guard Revenue Pickup		420.00	420.00											840.00
Garage Cleaning/Maintenance		1,521.00	1,521.00											3,042.00
13th St. - 17A EXPENSES		32,950.85	29,890.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	62,841.74
13th St. -17A PROFIT/(LOSS)		16,373.43	27,819.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	44,192.62

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	48,388.34	47,130.86	40,100.44	50,649.52	53,792.55	66,648.56	57,641.13	54,078.51	46,663.54	54,472.86	31,909.35	14,673.84	566,149.50
Revenue-Monthly Permits	480-8000-344527	7,740.00	7,680.00	8,520.00	8,100.00	8,580.00	8,280.00	7,500.00	8,460.00	9,120.00	9,120.00	8,340.00	8,400.00	99,840.00
13th St. - 17A REVENUE (Sales Tax Excluded)		56,128.34	54,810.86	48,620.44	58,749.52	62,372.55	74,928.56	65,141.13	62,538.51	55,783.54	63,592.86	40,249.35	23,073.84	665,989.50
Expenses														
Security Personnel		9,865.08	10,533.80	10,736.25	8,648.94	9,770.00	9,855.68	9,779.19	12,638.10	9,865.08	9,983.91	12,346.69	8,122.74	122,155.46
Attendant/Cashier Labor		15,303.89	15,387.71	15,269.80	15,170.25	15,470.86	15,516.07	15,327.27	15,273.85	15,144.77	15,186.57	18,836.90	16,921.34	188,619.28
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	935.67	216.67	3,318.04
FP&L		1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	16,869.76
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	8,250.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	170.00	170.00	3,723.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Garage Cleaning/Maintenance		1,450.00	1,450.00	1,483.00	1,450.00	1,450.00	1,483.00	1,318.00	1,318.00	1,483.00	1,318.00	1,450.00	1,521.00	17,174.00
13th St. - 17A EXPENSES		29,397.62	30,485.16	30,592.70	28,372.84	29,794.51	29,958.40	29,386.11	32,488.78	29,454.50	28,568.73	36,314.24	29,526.73	365,341.32
13th St. -17A PROFIT/(LOSS)		26,730.72	24,325.70	18,027.74	30,376.68	32,578.04	44,970.16	35,755.02	30,049.73	26,329.04	34,023.13	3,935.11	(6,452.89)	300,648.18

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
13th Street Garage - 17A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	48,388.34	47,130.86	40,100.44	50,649.52	53,792.55	66,648.56	57,641.13	54,078.51	48,663.54	54,472.86	31,908.35	14,673.84	586,149.50
Revenue-Monthly Permits	480-8000-344527	7,740.00	7,680.00	8,520.00	8,100.00	8,580.00	8,280.00	7,500.00	8,460.00	9,120.00	9,120.00	8,340.00	8,400.00	99,840.00
13th St. - 17A REVENUE (Sales Tax Excluded)		56,128.34	54,810.86	48,620.44	58,749.52	62,372.55	74,928.56	65,141.13	62,538.51	55,783.54	63,592.86	40,249.35	23,073.84	685,989.50
Expenses														
Security Personnel		9,865.08	10,533.80	10,736.25	8,648.94	9,770.00	9,855.68	9,779.19	12,638.10	9,865.08	9,993.91	12,348.69	8,122.74	122,155.46
Attendant/Cashier Labor		15,303.69	15,397.71	15,268.80	15,170.25	15,470.86	15,516.07	15,327.27	15,273.85	15,144.77	15,186.57	18,836.90	16,921.34	188,819.28
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	935.67	216.67	3,319.04
FP&L		1,404.98	1,404.98	750.00	1,404.98	1,404.98	1,404.98	1,404.98	750.00	750.00	1,404.98	1,404.98	1,404.98	16,859.76
Revenue Control Equipment Maintenance		0.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	750.00	8,250.00
Elevator Maintenance		737.00	312.00	312.00	312.00	312.00	312.00	170.00	467.18	170.00	279.60	170.00	170.00	3,723.78
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Garage Cleaning/Maintenance		1,450.00	1,450.00	1,483.00	1,450.00	1,450.00	1,483.00	1,318.00	1,318.00	1,483.00	1,318.00	1,450.00	1,521.00	17,174.00
13th St. - 17A EXPENSES		29,397.62	30,485.16	30,592.70	28,372.84	29,784.51	29,858.40	29,386.11	32,488.78	29,454.50	29,569.73	36,314.24	29,526.73	365,341.32
13th St. -17A PROFIT/(LOSS)		26,730.72	24,325.70	18,027.74	30,376.68	32,578.04	44,970.16	35,755.02	30,049.73	26,329.04	34,023.13	3,935.11	(6,452.89)	300,648.18

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
13th Street Garage - 17A														
Revenue-Ticket	480-8000-344566	44,400.00	45,402.69	45,391.52	51,063.89	53,442.14	67,925.37	52,972.45	49,388.78	43,317.00	47,741.10	52,219.62	39,794.83	593,059.39
Revenue-Monthly Permits	480-8000-344527	8,280.00	8,640.00	8,100.00	7,320.00	7,380.00	7,620.00	7,860.00	8,520.00	8,580.00	8,280.00	7,800.00	7,800.00	96,180.00
13th St. - 17A REVENUE (Sales Tax Excluded)		52,680.00	54,042.69	53,491.52	58,383.89	60,822.14	75,545.37	60,832.45	57,908.78	51,897.00	56,021.10	60,019.62	47,594.83	689,239.39
Expenses														
Security Personnel		10,242.93	10,602.13	10,541.72	13,658.91	10,514.70	10,220.71	12,820.10	10,737.48	12,861.21	10,423.37	13,306.82	10,177.97	136,108.05
Attendant/Cashier Labor		14,501.28	21,909.69	14,624.04	15,326.91	14,675.83	14,744.77	14,598.18	14,480.50	21,779.99	14,556.50	14,996.27	15,185.54	191,459.50
Landscape Maintenance		216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	216.67	2,600.04
FP&L		1,150.96	1,172.72	1,276.13	1,245.87	2,179.24	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	1,404.98	16,859.78
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	239.00	0.00	30.00	0.00	0.00	269.00
Elevator Maintenance		304.00	304.00	304.00	304.00	304.00	304.00	0.00	0.00	0.00	312.00	624.00	3,139.50	5,899.50
Armed Guard Revenue Pickup		517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	517.18	455.00	525.00	420.00	6,054.62
Garage Cleaning/Maintenance		1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,483.00	1,450.00	1,598.50	1,450.00	1,450.00	1,483.00	17,812.50
13th St. - 17A EXPENSES		28,516.02	36,205.39	28,962.74	32,752.54	29,880.62	28,891.31	31,040.11	29,025.81	38,378.53	28,848.52	32,523.74	32,027.66	377,062.89
13th St. -17A PROFIT/(LOSS)		24,163.98	17,837.30	24,528.78	25,631.35	30,931.52	46,654.06	29,792.34	28,882.97	13,518.47	27,172.58	27,495.88	15,567.17	312,176.40

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	88,600.95	82,514.96											171,115.91
Revenue - Valet	463-8000-344587	20,704.68	21,289.74											41,994.42
Revenue-Monthly Permits	463-8000-344903	28,780.00	30,060.00											58,820.00
16th St. Anchor - REVENUE (Sales Tax Excluded)		138,065.63	133,864.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	271,930.33
Expenses														
Security Personnel		15,377.39	12,631.97											28,009.36
Attendant/Cashier Labor		18,058.04	16,109.36											32,165.40
FP&L		4,138.44	4,138.44											8,276.88
Revenue Control Equipment Maintenance		775.00	775.00											1,550.00
Armed Guard Revenue Pickup		420.00	420.00											840.00
Elevator Maintenance		1,675.97	1,087.97											2,773.94
Landscape and Lot Maintenance		152.00	190.00											342.00
Garage Cleaning/Maintenance		9,242.00	9,242.00											18,484.00
Sanitation (Waste Removal)		179.01	179.01											358.02
Fire Alarm Service		250.00	250.00											500.00
16th St. - Anchor EXPENSES		48,265.85	45,033.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	93,299.60
16th St. PROFIT/(LOSS)		89,799.78	88,830.95	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	178,630.73

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	76,425.24	85,206.88	86,298.69	94,582.18	118,038.51	164,273.90	101,423.32	99,089.99	74,747.67	100,824.29	100,280.84	42,528.02	1,143,529.33
Revenue - Valet	463-8000-344587	20,015.89	20,326.63	26,858.41	14,436.45	37,707.01	20,244.86	13,807.94	20,236.91	21,732.25	28,007.48	37,608.95	3,287.38	284,270.56
Revenue-Monthly Permits	463-8000-344903	26,750.00	28,200.00	23,050.00	23,550.00	28,100.00	29,494.86	28,300.00	28,200.00	29,100.00	28,250.00	27,800.00	27,550.00	328,344.86
16th St. Anchor - REVENUE (Sales Tax Excluded)		123,191.13	133,733.31	136,207.10	132,568.63	183,845.52	214,013.62	143,531.26	147,536.90	125,579.92	156,881.77	185,690.19	73,365.40	1,736,144.75
Expenses														
Security Personnel		12,428.89	10,171.83	13,395.77	13,685.72	9,837.47	13,607.43	13,622.77	17,009.29	15,841.13	13,312.95	16,536.88	10,164.07	159,394.20
Attendant/Cashier Labor		15,887.24	16,050.82	15,831.23	16,378.83	16,584.62	17,423.33	16,028.61	16,430.45	16,116.40	16,122.14	15,889.24	17,947.67	186,690.58
FP&L		3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	45,600.00
Revenue Control Equipment Maintenance		775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	1,450.00	775.00	775.00	9,975.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,278.82	1,743.82	155.00	1,015.32	1,015.32	1,015.32	1,015.32	1,087.97	1,206.47	1,097.97	4,787.13	1,097.97	16,526.43
Landscape and Lot Maintenance		164.67	152.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	152.00	190.00	152.00	1,938.02
Garage Cleaning/Maintenance		2,924.40	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	4,869.00	4,864.00	4,864.00	4,864.00	4,864.00	64,194.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.04	179.01	179.01	2,119.69
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	346.30	250.00	250.00	250.00	3,096.30
16th St. - Anchor EXPENSES		38,100.66	38,459.11	37,887.10	39,575.50	35,953.04	40,554.09	58,573.41	44,982.72	43,500.31	41,648.10	47,691.26	39,649.72	504,575.02
16th St. PROFIT/(LOSS)		85,090.47	97,274.20	98,320.00	92,993.13	147,892.48	173,459.53	84,957.85	102,554.18	82,079.61	115,233.67	117,998.93	33,715.68	1,231,569.73

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
16th Street - Anchor Garage

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	76,425.24	85,206.68	86,298.69	94,582.18	118,038.51	184,273.90	101,423.32	99,099.99	74,747.67	100,624.29	100,280.84	42,528.02	1,143,529.33
Revenue - Valet	463-8000-344587	20,015.89	20,328.63	26,859.41	14,436.45	37,707.01	20,244.86	13,807.94	20,238.91	21,732.25	28,007.48	37,609.35	3,287.38	264,270.56
Revenue-Monthly Permits	463-8000-344903	26,750.00	28,200.00	23,050.00	23,550.00	28,100.00	28,484.86	28,300.00	28,200.00	29,100.00	28,250.00	27,800.00	27,550.00	328,344.86
16th St. Anchor - REVENUE (Sales Tax Excluded)		123,191.13	133,733.31	136,207.10	132,568.63	183,845.52	214,013.62	143,531.26	147,538.90	125,579.92	156,881.77	165,690.19	73,365.40	1,736,144.75
Expenses														
Security Personnel		12,428.89	10,171.83	13,395.77	13,665.72	9,837.47	13,607.43	13,622.77	17,009.29	15,641.13	13,312.95	16,538.88	10,164.07	159,394.20
Attendant/Cashier Labor		15,887.24	16,050.82	15,831.23	16,378.83	16,584.62	17,423.33	16,028.61	16,430.45	16,116.40	16,122.14	15,889.24	17,947.87	196,690.58
FP&L		3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00	45,600.00
Revenue Control Equipment Maintenance		775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	775.00	1,450.00	775.00	775.00	9,975.00
Armed Guard Revenue Pickup		420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	5,040.00
Elevator Maintenance		1,278.82	1,743.82	155.00	1,015.32	1,015.32	1,015.32	1,015.32	1,097.97	1,206.47	1,097.97	4,787.13	1,097.97	16,526.43
Landscape and Lot Maintenance		164.67	152.00	164.67	164.67	164.67	164.67	164.67	152.00	152.00	190.00	190.00	152.00	1,938.02
Garage Cleaning/Maintenance		2,924.40	2,924.00	2,924.00	2,924.00	2,924.00	2,924.00	22,325.40	4,869.00	4,864.00	4,864.00	4,864.00	4,864.00	64,184.80
Sanitation (Waste Removal)		171.64	171.64	171.43	181.96	181.96	174.34	171.64	179.01	179.01	179.04	179.01	179.01	2,119.69
Fire Alarm Service		250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	348.30	250.00	250.00	250.00	3,096.30
16th St. - Anchor EXPENSES		38,100.66	36,459.11	37,887.10	39,575.50	35,953.04	40,554.09	58,573.41	44,982.72	43,500.31	41,648.10	47,691.26	39,649.72	504,575.02
16th St. PROFIT/(LOSS)		85,090.47	97,274.20	98,320.00	92,993.13	147,892.48	173,459.53	84,957.85	102,554.18	82,079.61	115,233.67	117,998.93	33,715.68	1,231,569.73

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
16th Street - Anchor Garage														
Revenue-Ticket	463-8000-344911	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	41,602.27	78,886.26	78,940.89	60,237.40	259,668.82
Revenue - Valet	463-8000-344587	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,528.04	27,238.32	20,904.67	20,751.40	80,422.43
Revenue-Monthly Permits	463-8000-344903	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	25,400.00	26,250.00	26,300.00	78,050.00
16th St. Anchor - REVENUE (Sales Tax Excluded)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	53,230.31	131,526.58	126,095.56	107,288.80	418,141.25
Expenses														
Security Personnel		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,645.65	13,912.95	16,779.23	13,115.19	53,453.02
Attendant/Cashier Labor		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,497.82	15,087.01	15,440.52	17,158.12	59,183.47
FP&L		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2,850.00	3,800.00	3,800.00	3,800.00	14,250.00
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	775.00	775.00	775.00	975.00	3,300.00
Armed Guard Revenue Pickup		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	517.18	566.67	525.00	420.00	2,028.85
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,561.00	1,542.74	3,103.74
Landscape and Lot Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	450.00	164.67	164.67	164.67	944.01
Garage Cleaning/Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,657.16	2,924.40	3,024.40	2,924.40	10,530.36
Sanitation (Waste Removal)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	131.25	175.00	168.27	168.71	643.23
Fire Alarm Service		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	180.00	430.00	250.00	250.00	1,110.00
16th St. - Anchor EXPENSES		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	27,704.06	37,835.70	42,488.09	40,518.83	148,546.68
16th St. PROFIT/(LOSS)		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,526.25	93,690.88	83,607.47	66,768.97	269,594.57

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2004 October	2004 November	2004 December	2005 January	2005 February	2005 March	2005 April	2005 May	2005 June	2005 July	2005 August	2005 September	FY 2004/2005 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,996.27	3,087.87											6,084.14
Revenue-Monthly Permits	480-8000-344595	34,020.00	33,360.00											67,380.00
42nd St. - 8A REVENUE (Sales Tax Excluded)		37,016.27	36,447.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	73,464.14
Expenses														
Security Personnel		10,306.80	8,245.44											18,552.24
Attendant/Cashier Labor		3,215.99	3,061.85											6,277.84
FP&L		1,805.96	1,982.13											3,788.09
Revenue Control Equipment Maintenance		0.00	110.00											110.00
Elevator Maintenance		1,819.16	430.00											2,249.16
Landscape Maintenance		0.00	0.00											0.00
Garage Cleaning/Maintenance		3,392.00	3,392.00											6,784.00
42nd St. - 8A EXPENSES		20,539.91	17,221.42	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	37,761.33
42nd St. PROFIT/(LOSS)		16,476.36	19,226.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	35,702.81

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	3,350.48	2,763.56	3,415.88	3,842.04	10,966.37	3,644.84	3,200.92	4,165.41	3,907.46	3,619.65	3,802.80	2,752.32	49,431.73
Revenue-Monthly Permits	480-8000-344595	34,620.00	34,980.00	35,760.00	33,780.00	35,040.00	35,100.00	35,100.00	34,440.00	34,200.00	34,500.00	24,480.00	34,620.00	406,620.00
42nd St. - 8A REVENUE (Sales Tax Excluded)		37,970.48	37,743.56	39,175.88	37,622.04	46,006.37	38,744.84	38,300.92	38,605.41	38,107.46	38,119.65	28,282.80	37,372.32	456,051.73
Expenses														
Security Personnel		8,206.59	8,797.59	9,113.55	8,728.04	9,214.77	8,245.44	8,245.44	10,306.80	8,245.44	8,245.44	10,294.53	7,251.57	104,895.20
Attendant/Cashier Labor		3,255.18	3,257.79	3,077.53	2,837.18	4,731.24	3,317.88	3,210.77	3,537.33	3,195.09	3,027.89	4,255.76	3,848.22	41,551.86
FP&L		1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		536.00	536.00	536.00	536.00	536.00	536.00	430.00	1,190.80	430.00	430.00	430.00	430.00	6,556.80
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	136.00	0.00	0.00	0.00	136.00
Garage Cleaning/Maintenance		1,796.50	1,780.00	1,796.50	1,796.50	1,763.50	1,796.50	1,780.00	1,780.00	1,796.50	1,837.75	1,796.50	3,392.00	23,112.25
42nd St. - 8A EXPENSES		15,600.23	16,177.34	16,328.54	15,703.68	18,051.47	15,701.78	15,472.17	18,620.89	15,608.99	15,347.04	18,562.75	16,727.75	197,923.63
42nd St. PROFIT/(LOSS)		22,370.25	21,566.22	22,846.34	21,918.36	27,954.90	23,043.06	22,828.75	19,984.52	22,498.47	22,772.61	9,700.05	20,644.57	258,128.10

CITY OF MIAMI BEACH
PARKING DEPARTMENT
PROFIT & LOSS STATEMENT
42nd Street Garage - 8A

LOCATION	ACCOUNTING CODE	2003 October	2003 November	2003 December	2004 January	2004 February	2004 March	2004 April	2004 May	2004 June	2004 July	2004 August	2004 September	FY 2003/2004 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	3,350.48	2,763.56	3,415.88	3,842.04	10,966.37	3,644.84	3,200.92	4,165.41	3,907.46	3,619.65	3,802.80	2,752.32	49,431.73
Revenue-Monthly Permits	480-8000-344595	34,620.00	34,980.00	35,760.00	33,780.00	35,040.00	35,100.00	35,100.00	34,440.00	34,200.00	34,500.00	24,480.00	34,620.00	406,620.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	37,970.48	37,743.56	39,175.88	37,622.04	46,006.37	38,744.84	38,300.92	38,605.41	38,107.46	38,119.65	28,282.80	37,372.32	456,051.73
Expenses														
Security Personnel		8,206.59	8,797.59	9,113.55	8,728.04	9,214.77	8,245.44	8,245.44	10,306.80	8,245.44	8,245.44	10,294.53	7,251.57	104,895.20
Attendant/Cashier Labor		3,255.18	3,257.79	3,077.53	2,837.18	4,731.24	3,317.88	3,210.77	3,537.33	3,195.09	3,027.89	4,256.76	3,848.22	41,551.86
FP&L		1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		536.00	536.00	536.00	536.00	536.00	536.00	430.00	1,190.80	430.00	430.00	430.00	430.00	6,556.80
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	136.00	0.00	0.00	0.00	136.00
Garage Cleaning/Maintenance		1,796.50	1,780.00	1,796.50	1,796.50	1,763.50	1,796.50	1,780.00	1,780.00	1,796.50	1,837.75	1,796.50	3,392.00	23,112.25
	42nd St. - 8A EXPENSES	15,600.23	16,177.34	16,329.54	15,703.68	18,051.47	15,701.78	15,472.17	18,620.89	15,608.99	15,347.04	18,582.75	16,727.75	197,923.63
	42nd St. PROFIT/(LOSS)	22,370.25	21,566.22	22,846.34	21,918.36	27,954.90	23,043.06	22,828.75	19,984.52	22,498.47	22,772.61	9,700.05	20,644.57	258,128.10

LOCATION	ACCOUNTING CODE	2002 October	2002 November	2002 December	2003 January	2003 February	2003 March	2003 April	2003 May	2003 June	2003 July	2003 August	2003 September	FY 2002/2003 TOTAL
42nd Street Garage - 8A														
Revenue-Ticket	480-8000-344531	2,068.55	1,661.97	1,616.89	2,474.77	6,040.17	2,375.90	2,602.80	3,376.85	2,976.84	2,871.04	2,828.05	2,622.43	33,515.86
Revenue-Monthly Permits	480-8000-344595	36,300.00	35,940.00	35,640.00	34,680.00	35,160.00	34,320.00	34,440.00	34,200.00	34,680.00	34,500.00	34,500.00	34,740.00	419,100.00
	42nd St. - 8A REVENUE (Sales Tax Excluded)	38,368.55	37,601.97	37,256.89	37,154.77	41,200.17	36,695.90	37,042.80	37,576.85	37,656.84	37,371.04	37,328.05	37,362.43	452,615.86
Expenses														
Security Personnel		10,877.14	8,244.21	8,143.74	10,305.98	8,690.43	8,230.10	10,989.83	8,988.60	11,395.97	9,140.34	11,484.72	8,883.48	115,374.54
Attendant/Cashier Labor		2,639.24	3,696.43	2,477.56	2,507.41	3,984.97	2,718.84	2,631.78	2,989.97	4,430.24	2,897.94	3,182.84	3,082.75	37,239.97
FP&L		1,539.31	1,459.55	1,341.18	1,510.98	3,178.78	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	1,805.96	21,671.52
Revenue Control Equipment Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	217.50	-217.50	0.00	0.00	0.00	0.00	0.00
Elevator Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	536.00	536.00	536.00	536.00	536.00	536.00	3,216.00
Landscape Maintenance		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	182.00	0.00	0.00	0.00	182.00
Garage Cleaning/Maintenance		1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,285.00	1,796.50	1,796.50	1,780.00	16,938.00
	42nd St. - 8A EXPENSES	16,340.69	14,685.19	13,247.48	15,609.37	17,138.18	14,039.90	17,466.07	15,388.03	19,635.17	16,178.74	18,806.02	16,088.19	194,622.03
	42nd St. PROFIT/(LOSS)	22,027.86	22,916.78	24,009.41	21,545.40	24,060.99	22,656.00	19,576.73	22,188.62	18,021.47	21,194.30	18,522.03	21,274.24	257,983.83

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
www.miamibeachfl.gov



COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

**Subject: STATUS REPORT ON THE REHABILITATION OF THE EXISTING
BUILDING AND CONSTRUCTION OF THE NEW FIRE STATION NO. 2.**

The improvements to Fire Station No. 2 include full historic renovation of the existing building, and construction of a new facility that will include three apparatus bays and living quarters for the fire crews, as well as an Emergency Operations Center.

The 25th Street water storage tanks and pumping station project was added to the Jasco Construction Company (Jasco) Construction Manager at Risk Contract. STA Architectural Group (STA) is the architect/engineer (A/E) for the Fire Station components and Camp Dresser & McKee (CDM) is the A/E for the water tanks/pump station components.

Construction on the Water Tanks and Pumping Station Project began on June 9, 2003. Jasco substantially completed the tanks and pump station on June 16, 2004. The tanks are now in use, and the pumps are working as designed. CDM issued a "punch-list" of work items required prior to final completion, and Jasco has completed carrying out the items on this list. The contractor is currently obtaining all remaining final approvals, closing out all permits, and gathering all required submittals and documents required for final completion of this phase of the project.

On November 25, 2003, Jasco presented to the City their Guaranteed Maximum Price (GMP) for the Fire Station portion of the project, which includes the construction of a new fire station, including an Emergency Operations Center (EOC), renovation of the existing building for use as administrative offices, and needed modifications to the site drainage. On December 10, 2003, the Mayor and City Commission approved the GMP in the amount of \$8,096,580, awarded a contract to Jasco, and appropriated the funding necessary to complete the Project.

CIP Office staff has coordinated the design of a temporary parking lot that will be used by Fire Department staff, as well as employees of the contractor during construction. Plans for the temporary parking layout have been approved and permitted, and it is expected that construction of the lot will begin mid-January, 2005.

The first Notice to Proceed for construction of the new fire station was issued on November 22, 2004. This will be the first phase of the project, followed by the rehabilitation of the historic Fire Station #2. The first Notice to Proceed allows the contractor to schedule pre-construction activities, prepare the project schedule, the submittal schedule, the schedule of values, and to submit the proper bond and insurance. The Contractor recently

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submitted the majority of these items, which are currently being reviewed by the Architect and CIP Office staff. Once all submittals are approved, a second Notice to Proceed will be issued, allowing construction to commence. A groundbreaking ceremony is being scheduled to take place just prior to the beginning of construction activities for the new fire station building.

Construction of the new Fire Station is expected to require 15 months. Following the completion of this portion of the project, the renovation of the historic Fire Station building, and its conversion into administrative offices, will commence, and will require an estimated 13 months to be substantially complete.

JMG/RCM/TH/ECMB

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
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COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: STATUS REPORT ON THE CONSTRUCTION OF FIRE STATION NO. 4

Past Events

The City Commission, on July 2, 2003, issued a directive to the Administration to pursue the Certificate of Appropriateness for Demolition of the existing building. The Historic Preservation Board (HPB) approved a motion to recommend to the City Commission that the building be demolished. The HPB also approved a motion authorizing the revisions to the previously approved new building, and added some requirements with regard to landscaping, breeze block, monument, and curb/swale/sidewalk configuration. On October 15, 2003, the City Commission held a public hearing and voted to approve a Certificate of Appropriateness for the demolition of the fire station.

The seawall restoration at the Fire Station No. 4 site has also been added to the project. On April 14, 2004, the City's Public Works Department confirmed sufficient funding for the costs of the seawall restoration and associated repair scope of work. This portion of the project is being funded in part by the Shoreline and Seawall Rehabilitation Program portion of the General Obligation Bond.

The Designer, Coastal Planning Engineers, has prepared the construction drawings for the seawall restoration and completed the permitting process through both Miami-Dade County DERM and the City's Building Department.

The new construction plans were approved by the City's Building Department on June 14, 2004. Carivon Construction has completed the demolition of the existing structure as of July 30, 2004.

Status Update

On August 4, 2004, the CIP Office issued a Notice-to-Proceed to Carivon (JOC Program Contractor) to initiate the seawall construction. Carivon submitted a schedule that showed mobilization by the end of the month, but due to extreme weather conditions (hurricane watches for hurricanes Charlie, Frances, and Ivan), the mobilization to the site was completed on September 23, 2004. The sidewalk along the seawall was removed, all piles have been replaced, and the deadmen (concrete stabilization structures) have been formed in preparation for the concrete pouring. The wooden docks have been installed and are being secured. All debris identified in the DERM permit has been removed, including three sunken boats.

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Date 1-12-05

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In the meantime, Carivon has submitted a proposal for the new building, which has been negotiated and approved by the City and its Consultants. A First Notice to Proceed for this portion of the Project was issued on October 1, 2004, which has allowed Carivon to obtain building permits and prepare and seek approval by the City and its Consultants of all the required schedules, including the list of subcontractors, the schedule of values, and the Critical Path Method (CPM) time table. The Second Notice to Proceed was issued on November 15, 2004. This Notice has allowed Carivon to start with the site and foundation work activities. The pile survey and the installation of the augercast piles have been completed. Currently, the ground tie beams are being formed. This portion of the work has commenced before the completion of the seawall restoration scope, in the spirit of expediting the construction schedule as much as possible.

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CITY OF MIAMI BEACH

CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139
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COMMISSION MEMORANDUM

To: Mayor David Dermer and
Members of the City Commission

Date: January 12, 2005

From: Jorge M. Gonzalez
City Manager

Subject: **INFORMATIONAL REPORT TO THE MAYOR AND CITY COMMISSION,
ON FEDERAL, STATE, MIAMI-DADE COUNTY, U.S. COMMUNITIES, AND
ALL EXISTING CITY CONTRACTS FOR RENEWAL OR EXTENSIONS IN
THE NEXT 180 DAYS.**

The City Commission adopted Resolution No. 2000-24141, which provided that all existing city contracts for renewal or extensions, which by their terms or pursuant to change orders exceed \$10,000, and all extensions or renewals of such contracts, shall be presented as an informational report to the Mayor and City Commission, at least 180 days prior to the contract extension or renewal date. Subsequent thereto, the City Commission adopted Resolution No. 2001-24332, changing the reporting requirement from \$10,000 to \$25,000.

The administration in addition to reporting on all existing City contracts, will now report information relative to Miami-Dade County, State of Florida, U.S. Communities and Federal GSA contracts that are approved for utilization by the City Manager. Pursuant to information contained in Miami-Dade County, State of Florida, U.S. Communities and Federal General Services Administration (GSA) bid list, the following are contracts that will expire within the next 180 days:

	DESCRIPTION	VENDOR	EXPIRATION DATE	RENEWAL TERMS
1.	Professional Services Agreement to provide Structural Engineering Plans Processing Services	H.J. Ross Associates; DMJM Harris, Inc.; and Balsara and Associates, Inc.	05/29/2005	One year renewal remaining -- 05/29/06.
2.	Automatic Transmission Exchange (Miami Dade)	EAB Investment	05/31/2005.	None.

AGENDA ITEM

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DATE

1-12-05

3.	Window Tinting (Automotive) (Miami Dade)	World of Auto Tinting	04/02/2005	None.
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